

SANTA ROSA & SAN JACINTO MOUNTAINS NATIONAL MONUMENT

ADVISORY COMMITTEE MEETING

REPORTER'S TRANSCRIPT

OF

PROCEEDINGS



MEETING LOCATION: PALM DESERT CITY HALL  
Palm Desert, CA

DATE AND TIME: Saturday, December 7, 2002  
9:00 a.m. to 3:55 p.m.

REPORTED BY: KATHY BAUERNFEIND, CSR  
CSR NO. 11921

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P R E S E N T

MONUMENT ADVISORY COMMITTEE (MAC):

- ROBERT BROCKMAN, Director of Community Development, City of Rancho Mirage
- BUFORD CRITES, Councilmember and former Mayor, City of Palm Desert
- BARY FREET, Palm Springs Fire Chief, resident of Cathedral City
- BARBARA GONZALES-LYONS, Vice Chair, Tribal Council, Agua Caliente Band of Cahuilla Indians
- MARY ROCHE, Senior Planner, City of Indian Wells
- TERRY HENDERSON, Councilmember, City of La Quinta
- EDWARD KIBBEY, Committee Chairman, Building Industry Association
- BOB LYMAN, Regional Office Manager, County of Riverside
- JEFFERY MORGAN, Sierra Club, Local Conservation Organization
- ROB PARKINS, General Manager for the Palm Springs Aerial Tramway, Winter Park Authority
- RUTH WATLING, Chair, Pinyon Community Council
- WILLIAM (GARY) WATTS, District Superintendent, California Department of Parks and Recreation

1 STAFF:

2 DANELLA GEORGE, Designated Federal  
3 Official, National Monument Manager

4 CONNELL DUNNING, Community Planner,  
5 Bureau of Land Management, Palm  
6 Springs/South Coast Field Office

7 JIM KENNA, BLM Field Manager, Palm  
8 Springs/South Coast Field Office

9 KEVIN BRENNAN, California Department of  
10 Fish & Game

11 PAT BOSS, USDA Forest Service, District  
12 Ranger, San Jacinto Ranger District

13 AUSTIN McINERNY, Facilitator

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1 Palm Desert, CA, Saturday, December 7, 2002

2 PROCEEDINGS

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4 CHAIRMAN KIBBEY: Ladies and Gentlemen, we will  
5 call the session to order.

6 CHAIRMAN KIBBEY: Let's begin with roll call.  
7 Please state your name and your representation.

8 We'll start with the uniformed person.

9 MR. PARKINS: Rob Parkins with the park  
10 authority.

11 MR. CRITES: Buford Crites.

12 MR. BOGERT: Frank Bogert, Palm Springs.

13 MS. HENDERSON: Good morning, Terry Henderson,  
14 La Quinta.

15 MS. ROCHE: Mary Roche, Indian Wells.

16 MR. MUTH: Allan Muth, University of  
17 California, and I'm not carrying.

18 MR. FREET: Bary Freet, Cathedral City.

19 MR. MORGAN: Jeff Morgan, Sierra Club.

20 MR. WATTS: Gary Watts, California State Parks.

21 MR. HAVER T: Bill Havert.

22 MR. McINER NY: Austin McIner ny.

23 MS. GEORGE: Danella George, the Santa Rosa San  
24 Jacinto Mountain National Monument Manager.

25 CHAIRMAN KIBBEY: Ed Kibbey representing the

1 building industry and Chair. Thanks all of you for  
2 coming. We are going to try to get through our work  
3 today and get out a little early. Looks good.

4 Austin has done a good job and we'll get to that.

5 At this time we have some time set aside for any  
6 public comments. Anyone from the public wish to  
7 make comments? I have received no names.

8 MR. CRITES: There are some real no-names over  
9 there, I'll tell you.

10 MS. DUNNING: There are no people.

11 CHAIRMAN KIBBEY: Thank you, very much. Review  
12 of past meeting minutes, do we have the minutes?

13 MS. GEORGE: Yes, we do.

14 CHAIRMAN KIBBEY: They have been reviewed,  
15 comments have been sent in, changes made, and the  
16 DFO, Danella, assures me they are as modified. Does  
17 anybody else have any comments on the minutes?

18 Bob, you want to introduce yourself and your  
19 representation so that our meeting person knows who  
20 you are.

21 MR. BROCKMAN: Bob Brockman, City of Rancho  
22 Mirage.

23 CHAIRMAN KIBBEY: So there being no further  
24 changes to the minutes, they are as distributed. It  
25 is time for the election of the chair and the

1 Co-Chair, and we'll open the floor for nominations  
2 of Co-Chair.

3 MR. CRITES: I would move to reappoint two  
4 existing officers.

5 MS. HENDERSON: Second.

6 CHAIRMAN KIBBEY: Any discussion? Any opposed?  
7 Thank you, very much. Moving right along,  
8 scheduling, status of reappointment process, and  
9 general update from designated federal officer.  
10 Danella.

11 MS. GEORGE: Okay. Where we are with the  
12 reappointment of four individuals and the nomination  
13 process. As of yesterday I spoke with the  
14 Washington office of the Bureau of Land Management,  
15 and they -- and I visited and we had sent an E-mail  
16 as well as left voice mail for regional -- region 5  
17 of the US Forest Service to write a letter of  
18 concurrence to director Mike Poole. We need US  
19 Forest Service Region 5 Forester to concur with the  
20 four reappointments and the one nomination. So  
21 that's the status. Once that happens, it's already  
22 moving through levels at Washington at the  
23 director's level. Still not done, but we're moving  
24 along.

25 CHAIRMAN KIBBEY: The chair is going to direct,

1 if you will, that those who are renominated should  
2 be -- they have been renominated but not yet  
3 appointed will act as officials today as if you had  
4 been reappointed. We do this because you have sat  
5 through the entire process, and if there are any  
6 votes taken, we will ask you to vote. All votes  
7 taken, if any, will be taken verbally so that we  
8 will know, in case there are challenges later, how  
9 you voted.

10 Mary, we can't allow you to vote, but we do  
11 encourage you to have full participation as if you  
12 were a member of the group.

13 MS. ROCHE: Thank you.

14 CHAIRMAN KIBBEY: Any problems with that?

15 MS. GEORGE: The other thing is we might as  
16 well start thinking about process for the other five  
17 that are going to come up for expiration  
18 November of 2003 as well as rechartering. Maybe at  
19 the February meeting we can talk about rechartering  
20 the Monument Advisory Committee, because the  
21 committee expires October of 2003. Start the  
22 process of communication with our Washington office  
23 staff at people in the secretary's office about  
24 that. Also this week --

25 CHAIRMAN KIBBEY: Before you leave that, any

1 indication of what the process might be as far as  
2 the government is concerned?

3 MS. GEORGE: I'm sorry, help me.

4 CHAIRMAN KIBBEY: The process for extending the  
5 entire Advisory Committee past the designated date  
6 in October of 2003. When it goes away, is there  
7 any -- did they give an indication of what the  
8 process would be so we have some kind of  
9 understanding?

10 MS. GEORGE: Sure, I think it would be the same  
11 thing with the reappointment or nomination. We  
12 would write a letter -- the agencies would write a  
13 letter to the state director with a letter to the  
14 regional forester recommending that this committee  
15 be rechartered to help with X, Y, Z, with respect to  
16 completion of the plan and implementation of the  
17 plan, other issues, other actions, other things with  
18 managing this Monument. It being a community based  
19 Monument, that we need to have this Advisory  
20 Committee helping us and assisting us. That would  
21 then go from state director Mike Poole at this time  
22 on up to the director of the BLM. She would concur.  
23 Then we would write a letter of concurrence to the  
24 regional forester for region 5 and then move up to  
25 the director -- up to the secretary's office.

1 CHAIRMAN KIBBEY: And the secretary has the  
2 right and legislation or does --

3 MS. GEORGE: Yes, the secretary has the right.

4 CHAIRMAN KIBBEY: So everybody be giving some  
5 thought to that. It will be on the agenda in  
6 February to discuss and perhaps to make  
7 recommendation. Barbara, would you please introduce  
8 yourself and who you represent for our note-taker  
9 over here.

10 MS. GONZALES-LYONS: Barbara Gonzales-Lyons,  
11 Agua Caliente, Band of Cahuilla Indians.

12 CHAIRMAN KIBBEY: Thank you. Welcome.

13 MS. GEORGE: Further information or update for  
14 the committee is this week I attended the Gateway  
15 Conference which is partnerships in tourism in New  
16 Mexico. It was excellent. Secretary Norton was the  
17 keynote speaker and she spoke about her three Cs in  
18 the name of conservation, adding a fourth C, working  
19 with communities. Fifth C, excuse me, three Cs and  
20 conservation for communities, adding a fifth C.

21 Also saw Kit Kimble who's the lady who designated  
22 all you guys in November a year ago. Do you all  
23 remember Kit? She said to tell you hi and I shared  
24 with her all the good work you guys were doing at  
25 the community level. I was able to brag about how

1 this committee has always had a quorum, that there  
2 has always been about at least 12 people here for  
3 the meeting so I bragged you up quite a bit. And  
4 after Gary and Barbara and I went to that workshop,  
5 we know there are committees where they can't even  
6 get a quorum so I really want to say thanks for  
7 that.

8 Laurie was there, Laurie Rosenthal. She  
9 attended a lot of sessions on byways since we  
10 recommended that we do a corridor management plan  
11 for a national scenic byway. I attended a lot of  
12 tribal workshops as well as international tourism,  
13 and if you guys would like a presentation sometime,  
14 another Advisory Committee, a short one on that  
15 workshop, I'd be more than happy to do that.

16 I'd like to thank Austin, Connell, and David,  
17 he's not here today, for all the work they did this  
18 last week in a very abbreviated form. I spoke with  
19 David via the phone and left voice mails with  
20 Connell, we communicated during this week even  
21 though we had many miles between us, and I think  
22 they produced a really well staffed out project for  
23 you all to go through today. And just again, want  
24 to say thanks. Now have a new chair for the next  
25 year, right? And a Co-Chair. We do need to think

1 about our calendar before we leave here so we can  
2 start the federal register process. And that's all.

3 CHAIRMAN KIBBEY: Any comments?

4 MS. GEORGE: Field trip. One more thing.  
5 There is one more thing. We have the field trip.  
6 It's December 11. It's going to -- we're going to  
7 go look at the visitors' center since we removed the  
8 ugly thing in there, the interpretive display, and  
9 now have a natural view. We're going to take a look  
10 at that. We're going to look at the kiosk that Palm  
11 Desert has been a partner with and what we've done  
12 for providing access to that kiosk accessibility.

13 We will then stop at the Bighorn Institute for  
14 anyone who has never been there. There will be a  
15 brief visit at the institute. After that we will be  
16 going to Deep Canyon and I'm open to if we all want  
17 to go out and have lunch afterwards or take our  
18 lunch or what we would like to do. So starting at  
19 9:30 because there is a Friends of the Desert board  
20 meeting I'm going to be attending and I know quite a  
21 few of you all will attend that, so then we will  
22 meet at 9:30 and I will pass this list around.

23 CHAIRMAN KIBBEY: And you think we'll get done  
24 sometime after the noon hour, is that it?

25 MS. GEORGE: Yes, that's the goal.

1 CHAIRMAN KIBBEY: Any comments on Danella's  
2 report?

3 Update by agency line officers. Jim?

4 MR. KENNA: Where do I put myself so everybody  
5 can see. I'll try and be fairly brief.

6 CHAIRMAN KIBBEY: Please introduce yourself.

7 MR. KENNA: Pardon me. I'm Jim Kenna, field  
8 manager for the BLM.

9 CHAIRMAN KIBBEY: Thank you.

10 MR. KENNA: Keep me in line. I see the officer  
11 there.

12 CHAIRMAN KIBBEY: Be careful what you say.

13 MR. KENNA: What I primarily wanted to talk  
14 about was the work that we are doing or update you  
15 on the work that we've been doing on the Coachella  
16 Valley multiple species plan. The federal portion  
17 of that which is the plan amendment to the  
18 California Desert Conservation. What we're working  
19 on is the plan protests to the plan amendment that  
20 BLM prepared for the Coachella Valley multiple  
21 species plan effort. As our federal contribution,  
22 we had four protests. The four protests basically  
23 we have completed all of the field input as of  
24 yesterday, and that went back to Washington D.C. to  
25 the Washington office in the secretary's office.

1 The general content of the protest, one protest was  
2 primarily oriented to concerns about inadequate  
3 off-highway vehicle opportunities and closing areas  
4 off to availability for off-highway vehicles.

5 Another protest was oriented to concerns that  
6 the sheep recovery strategy was based on the  
7 recovery plan, or bighorn sheep in the Peninsula  
8 ranges. The primary concern is the application of  
9 science and the recovery plan insofar as it deals  
10 with human disturbance is flawed. And that in doing  
11 that, the foundation basically for the recovery  
12 strategy deal, as it deals with human disturbance,  
13 is also flawed.

14 The third -- well, there are two other protests  
15 which were very parallel and the basic thrust was  
16 that the BLM plan amendment is not sufficiently  
17 conservation oriented. A number of things were  
18 cited. They are both long and sort of everything  
19 but the kitchen sink. But primary among them was  
20 that the plan allows for some use of vehicles in  
21 terms of the route designation was too generous, the  
22 opportunity for off-highway vehicle or vehicle based  
23 recreation, even if it is in a managed setting, is  
24 too much. And that there is too much hiking going  
25 on in the mountains, and that the BLM efforts have

1       been insufficient to provide for recovery of  
2       peninsula or bighorn sheep .

3           Generally, as I said, we have completed all of  
4       the protest responses. I can't give you exactly all  
5       the content because it's really the secretary's  
6       decision as to how the -- director's decision as to  
7       how those are answered. I can say that we feel  
8       fairly comfortable with the plan as written. And I  
9       feel that I don't expect major changes. I also, you  
10      know, feel like it has a fairly strong foundation in  
11      terms of its cooperative efforts that we have  
12      conducted with the local jurisdictions and receive  
13      back process. And that it has a strong  
14      conservation -- a strong conservation foundation.  
15      We've got 95 percent of the federal land base under  
16      a conservation overlay. 75 percent of the acreage  
17      in the plan is either in National Monument  
18      wilderness or area of critical environmental  
19      concern. So I think the foundations are pretty  
20      good, and as a result I don't expect major change .

21           Process-wise, we are still on track to complete  
22      the protest responses and a record of decision  
23      before the end of the year, which would meet the  
24      requirements of the lawsuit. We are expecting,  
25      based on assurances from the Fish & Wildlife

1 Services, completion of four biological opinions by  
2 December 21st. Three of the biological opinions are  
3 the ones that we initiated on in January of 2001,  
4 which would be the interim biological opinions.  
5 They are peninsula ranges bighorn sheep, sand  
6 species, and riparian species. Sand species would  
7 include, for example, fringed toed lizard. The  
8 riparian species would include things like willow  
9 fly catcher and Arroyo toad.

10 The fourth opinion will be on the Coachella  
11 Valley plan amendment itself. And so we should, by  
12 the end of the year, have all of the biological  
13 opinions in place, at least based on our assurances  
14 from Carlsbad, and we should have a plan directive  
15 decision signed.

16 MR. HAVER T: Question. In terms of your  
17 process, the protest process, is that something that  
18 is a presumption, that if someone hasn't protested  
19 some aspect of the plan, then they haven't  
20 participated adequately in the administrative  
21 process in order to have standing for subsequent  
22 litigation or --

23 MR. KENNA: That is a possibility, yes. The  
24 argument could be made if a subsequent lawsuit were  
25 filed, that if someone did not participate in the

1 protest process, or the public comment process, or  
2 along the way, that they had not exhausted their  
3 administrative opportunities and therefore would  
4 have some problems with standing. However, that  
5 being said, my experience with standing in courts  
6 and in recent years is that they are reasonably  
7 liberal.

8 MR. HAVERT: Otherwise it's just another  
9 opportunity for people to comment on the plan, no  
10 definitive legal significance.

11 MR. KENNA: It doesn't have definitive legal  
12 significance other than it is an opportunity for  
13 the -- I mean to take their issues to another level  
14 of the organization and to have those issues  
15 reviewed at that level.

16 CHAIRMAN KIBBEY: Two points. Don't forget to  
17 identify yourself for our note-taker over here, and  
18 also don't let your statements go very quietly so we  
19 can continue to hear.

20 MR. KENNA: Guilty as charged.

21 CHAIRMAN KIBBEY: So speak up. We don't have  
22 any amplified sound here so we need to make sure the  
23 lady in the corner hears everything.

24 Any other questions, comments? Also from the  
25 audience, if you wish.

1 Thank you very much, Jim. Before we turn to  
2 Laurie, who isn't here but we've got a handsome  
3 devil over here that's going to taking her place.  
4 We have two late-comers, if you identify yourselves  
5 please and who you represent.

6 MS. WATLING: Ruth Watling for the Pinyon  
7 Community.

8 MR. LYMAN: Bob Lyman, County of Riverside.

9 CHAIRMAN KIBBEY: Thank you very much. You're  
10 on.

11 MR. BOSS: Thank you, very much. Sorry I'm not  
12 Laurie but she is absent right now. My name is Pat  
13 Boss, US Forest Service Idyllwild, District Office  
14 in Public Affairs. Currently right now one thing is  
15 we're tentatively scheduled to go out of nonfire  
16 restrictions as of next Saturday morning or actually  
17 Friday night at 1700. That would mean at that point  
18 in time open fires would be continued to be allowed  
19 again. Presently they are not allowed in either  
20 campgrounds, county or state, and also target  
21 shooting would be allowed again as of that date.

22 Right now we have shut off all target shooting due  
23 to the fire hazard and so forth, but we feel the  
24 rain we've received so far and possibly more rain  
25 that's on the horizon will significantly be able to

1 reduce that fire hazard and open up the forest again  
2 for those events.

3 We've also -- it's also been informed -- or  
4 actually a task force has been formed as of last  
5 Wednesday. San Bernardino County task force as well  
6 as Riverside County task force and these are two  
7 separate entities themselves working in reference to  
8 the devastation of the trees. There are several  
9 different -- it will be like an ICS, incident  
10 command system. There would be an independent  
11 commander with information officers, operational  
12 people logistics, communications, right on down the  
13 line, dealing with a mortality of these trees.  
14 Arrowhead, Big Bear, and Idyllwild, and Idyllwild  
15 has a very large mortality infestation going on  
16 right now.

17 Even when the drought is over, whenever that  
18 might be, it still will not -- and the rain and also  
19 the infestation of the beetles will stop, we still  
20 have a large mortality rate to deal with and that  
21 will be ongoing. That will be for years after.  
22 We're going to try to deal with those issues, Cal  
23 Trans, Southern California Edison, CDF, Forest  
24 Service, and several other agencies involved in this  
25 task force. It's going to be quite a job. We're

1 looking at evacuation corridors, how the trees will  
2 affect that because if these trees are dying along  
3 the highways, any trees that will possibly cross the  
4 highway if they fall will hamper the efforts of  
5 evacuations. So those corridors we're looking at,  
6 but several other factors involved in who is going  
7 to cut the trees down, and once they do cut them  
8 down, where are we going to take those trees.  
9 Because once they are down they still create a very  
10 large fire hazard. So we have to remove those trees  
11 from the area in which they were cut down. So a  
12 task force is being formed and I think it's going to  
13 be a well-working task force and a lot of  
14 participants are involved in it, and I think it's  
15 going to be very beneficial to the safety and health  
16 of the forest itself. So other than that,  
17 everything is going well in Idyllwild.

18 CHAIRMAN KIBBEY: In that regard, I understand  
19 Lewis and Bono are trying to get you some money.

20 MR. BOSS: Lewis and Bono are very definitely  
21 behind this. What money is going to get  
22 appropriated we don't know at this point in time, or  
23 how it's going to be directed to do what avenues.  
24 Possibly some commercial entities as far as logging  
25 information, trucks and so forth to haul the timber

1 off the hill. We're looking at -- I'm not sure of  
2 all the ramifications if there is a plant down here,  
3 Mecca, that takes wood and so forth, logs. Some of  
4 the logs that are not capable for basically for mill  
5 work because they so dry and everything else,  
6 wouldn't do any good for mill but they would be good  
7 for energy down there and we're looking at that  
8 concept also. So, yes, they are working closely  
9 with us, where the money is going to come from, how  
10 it's going to be -- OES right now looks at as not an  
11 issue as far as getting money from them. Because  
12 this is ongoing process, and life and property has  
13 not been lost. Even though property owners are very  
14 much looking for loans because some property owners  
15 have lost anywhere from 20 to 30 trees on their  
16 property at an average of a thousand dollars per  
17 tree to take that tree down. I've got seven trees  
18 on my property and right now I'm looking at three of  
19 those trees at \$3,000. The other four trees we're  
20 not sure yet what we're going to do.

21 CHAIRMAN KIBBEY: My understanding is Lewis has  
22 apparently identified some three million dollars in  
23 funds that are already available.

24 MR. BOSS: He has identified those funds but  
25 again how they are going to be allocated and

1 distributed, that's yet to be eamed.

2 CHAIRMAN KIBBEY: But the three million is  
3 probably going to happen.

4 MR. BOSS: It looks like it's possible. You  
5 know how the government works in mysterious ways.  
6 How it's going to be funneled down may be different.  
7 Being a state issue and a federal issue, you know,  
8 where is all that money going to come from, they  
9 haven't anywhere for it to come from, but how it's  
10 going to be filtered down to the agencies is a  
11 different story in itself.

12 CHAIRMAN KIBBEY: Al Muth.

13 MR. MUTH: When you're talking about removing  
14 trees, you're talking about hazard trees on highways  
15 and widow-makers, that sort of thing.

16 MR. BOSS: That is correct.

17 MR. MUTH: You're not advocating salvage,  
18 timber sale.

19 MR. BOSS: No, we're not advertising anything  
20 like that at all. The timber that's out there in  
21 the forest itself, there's lots we can't even get  
22 to. That's stuff -- we have to let nature take its  
23 course and we will go from there. The stuff that's  
24 a safety factor, community-wise, as well as  
25 corridors and so forth, those are the issues that

1 are going to be addressed and those are the things  
2 that are prime concern with us. No, it will not be  
3 a timber operation logging concept. It's going to  
4 be for safety factor and healthy forest and be able  
5 to reduce mitigation as far as fire hazard.

6 CHAIRMAN KIBBEY: Frank Bogert.

7 MR. BOGERT: What area -- you mentioned target  
8 shooting. What areas do you have designated for  
9 target.

10 MR. BOSS: We don't basically have designated  
11 areas. We have areas that you cannot go to, which  
12 is basically what's called Alvin Meadows, a short  
13 distance out of Idyllwild. But generally speaking,  
14 our district itself is wide open for target shooting  
15 as long as you're without -- not in the game refuge  
16 and as long as you abide by the rules and  
17 regulations that are set forth as far as 150 feet --  
18 150 yards from the highways, campgrounds, and  
19 residential areas.

20 CHAIRMAN KIBBEY: Buford.

21 MR. CRITES: Buford Crites. You're lifting  
22 restrictions on open camp fires and target shooting  
23 because of the moisture.

24 MR. BOSS: That is correct.

25 MR. CRITES: What are you doing with parks and

1 national forest that have had no moisture?

2 MR. BOSS: We are still monitoring those and  
3 those areas won't really be affected. Our  
4 wilderness areas right now, we don't allow fires in  
5 wilderness area during the winter time anyway, and  
6 we have not in the past. Because the fact the  
7 wilderness, when it does get snow or rain or  
8 anything else, there is no dry wood available, we do  
9 not want people to start cutting down limbs and so  
10 forth off the trees. So we do not issue any open  
11 fire permits in our wilderness area basically from  
12 November to about the end of May. So those areas  
13 will not be -- it will still be in effect as far as  
14 no open fires. But our campgrounds, Pinyon Flats  
15 and other areas, you will still be allowed to have  
16 camp fires.

17 MR. CRITES: Even though there has been no  
18 moisture there.

19 MR. BOSS: We feel the humidity and the  
20 precipitation still warrants us to lift the fire  
21 restrictions. We still have staff -- we've  
22 increased our staff and even during the wintertime,  
23 not limited our staff, so we still feel that's  
24 warranted.

25 CHAIRMAN KIBBEY: Any questions?

1 MR. FREET: Are you -- Bary Freet. Are you  
2 able to comment on your agency's report recently on  
3 air tanker limitations.

4 MR. BOSS: I just received that information  
5 yesterday. I really haven't been up to speed on  
6 that. I understand that they are going to be  
7 reduced considerably. They are looking at possibly  
8 bringing in some type 1 helicopters, but I'm really  
9 not informed enough on that right now because I just  
10 saw that yesterday. But thanks for the question and  
11 I'll follow up on it.

12 CHAIRMAN KIBBEY: Other questions?

13 MS. WATLING: There was shooting at a time --  
14 I'm sorry, Ruth Watling from Pinyon. There was  
15 shooting at a time behind the Pinyon transfer  
16 station. Is that allowable again or not?

17 MR. BOSS: Well, if it's outside the game  
18 refuge, that would be allowable in that area again,  
19 yes. Again, it's going to be monitored because we  
20 do have people out there and we have more people,  
21 and we encourage anybody to, if they see some  
22 illegal shooting or some shooting that is not  
23 appropriate at that time, please call our district  
24 office. We are open seven days a week from 8:00 to  
25 4:30, and we have radio communications in our field

1 posts and feel free to call us.

2 CHAIRMAN KIBBEY: Other questions? Danella.

3 MS. GEORGE: This week I saw Mt. San Jacinto

4 from the air heading out of Ontario. I was just

5 amazed at the amount of dead trees. It's just

6 incredible. And I know that Laurie gave us a

7 presentation and we heard it this week too about the

8 presence of healthy forest initiatives. Those trees

9 internally in the forest, not the hazard trees, is

10 there going to be some sort of effort to remove

11 them?

12 MR. BOSS: The ones basically in the forest,

13 the ones -- because those type of trees we really

14 cannot get to, would not be cost effective for us

15 for one thing, and removal of it would be

16 incredible. The only way those could be taken out

17 would be by helicopter and that would not be prudent

18 for that process. We have that concern in mind in

19 case a fire came through of course the dead stuff on

20 the ground is more of a fire hazard than the

21 standing trees. But we're more concerned about the

22 safety of the forest itself as far as the

23 communities and surrounding communities. Then we'll

24 take it step by step on the outskirts. But at this

25 point in time we don't see anything as far as going

1 out in the wilderness area to do any kind of  
2 management as far as the dead trees are concerned.

3 MS. GEORGE: I'm not sure, I'm not -- Danella  
4 again. I'm not sure it was wilderness, I was just  
5 curious is there some sort of plan, are people  
6 talking about how you're going to reforest or doing  
7 something?

8 MR. BOSS: That will be a process we will look  
9 at within our inter agency task force that is being  
10 formed right now, that will be one of the concerns  
11 we will address.

12 MS. GEORGE: Thank you.

13 CHAIRMAN KIBBEY: Other questions? Any  
14 questions from our guests? Thank you very much.  
15 Excuse me.

16 MR. WOODS: Good morning, John Woods from  
17 Alpine Village. You had mentioned that -- as  
18 following up on Danella's question, that there are  
19 really no plans for salvage or logging of any kind.  
20 When you get together with your group, are you going  
21 to discuss, for example, just what kind of access  
22 you need or what kind of areas you're going to cover  
23 for management of dead vegetation, dead trees, fire  
24 hard areas, particularly around the communities up  
25 there? For example, when you mentioned Pinyon Flats

1       campground a little while ago, you got dead trees in  
2       the campground. I know those aren't a big concern  
3       of yours, you mentioned you're more concerned about  
4       the vegetation on the ground. But if we get a fire  
5       up there, it will jump from tree to tree very  
6       easily. It goes crazy like it did in '94.

7           MR. BOSS: We have a concern about those. It's  
8       definitely a concern and we're looking at that as a  
9       collective group as far as all the trees are  
10      concerned. Right now we're looking at safety  
11      corridors in case we did have a major fire, for  
12      evacuation purposes. We are going to take each area  
13      as an individual area and work those areas  
14      collectively, and look at every tree issue, not only  
15      just the ones that are a safety factor, but in our  
16      campgrounds at Pinyon, as well as Ribbonwood and  
17      surrounding areas out there. Because we know what  
18      that pines fire did, we know the effect of it and  
19      definitely have that concern in mind.

20          MR. WOODS: Would you consider, would your  
21      group consider allowing, for example, if you were to  
22      mark the trees, allowing cutting of those dead trees  
23      for fire wood -- I mean that would definitely be  
24      something that would reduce your cost to your  
25      agency.

1 MR. BOSS: That is one of the other factors  
2 we're looking at. As far as not only allowing  
3 residential people to cut the trees down, but right  
4 now we have two different types OF wood permits; \$15  
5 permit which is 12 inches or smaller in diameter,  
6 and the \$15 per cord. We have a \$25 per cord which  
7 is larger than 12 inches in diameter. We're looking  
8 at reducing the cost of fuel wood purchasing to be  
9 able to take some of these trees out and be able to  
10 utilize it for residential fire wood use. But we  
11 also do not want to have -- we're not looking for  
12 commercial cutting on this because a lot of trees --  
13 they look -- they look dead but they are just pulp,  
14 they're not really good for fire wood at all. So we  
15 have to take that into account also when we are  
16 marking these trees out there. And when residence  
17 owners come into our office in Idyllwild and submit  
18 their requests, we are dealing with those on a day  
19 to day basis. Probably this last week alone through  
20 my office we sold about 60 cords of wood so far. A  
21 lot of this wood is we have cut down forest areas  
22 for safety factors. And we've allowed the people to  
23 go in and take that wood out. We already limbed it  
24 and everything else so it's very easy and very  
25 accessible wood for the homeowners to obtain.

1           And then this winter, if we have a good wet  
2 winter and everything else, the piles from the limbs  
3 that we established, we're going to go ahead and  
4 burn those. That takes care of that. And we  
5 cleaned a lot of areas and so far it's been working  
6 very well on that factor.

7           MR. WOODS: Thank you.

8           CHAIRMAN KIBBEY: Thank you very much.  
9 Monument staff presentation, wilderness and plan  
10 outline.

11          MS. DUNNING: Connell Dunning with National  
12 Monument. I'm going to be talking about a couple of  
13 things that came up at the last meeting. There  
14 was -- the first thing, there was a request for an  
15 outline of what the management plan is going to look  
16 like. So that's in your packet of items. I just  
17 want to run through it briefly. If you could take a  
18 look at it, it says Santa Rosa and San Jacinto  
19 Mountains National Monument Management Plan Outline.

20          MS. GEORGE: We don't have it.

21          MS. DUNNING: Oh, right, you guys don't have  
22 it. Okay. I have located the information so we can  
23 talk about it. That was just a test to see if you  
24 guys were looking really at it. Okay. So it's very  
25 brief. It just gives us an idea of what the plan

1 will look like, how it will be structured. There  
2 will be an introduction that will outline the issues  
3 that will be addressed through the Monument plan as  
4 well as those that are outside of the scope of the  
5 plan. It will outline our criteria, kind of the  
6 sideboards, the legislative sideboards that we have  
7 to work around.

8 Chapter 2 will be the Alternatives and  
9 Strategies, and that's where you're going to find  
10 your input in terms of what you're providing today,  
11 your recommendations for us. We will outline in  
12 Chapter 2 what our proposed actions are, what our  
13 proposed strategies are. And they will be  
14 organized, if you look at just in the section where  
15 it says Chapter 2, they will be organized according  
16 to the resources that are laid out in the  
17 legislation. There will be a section on management  
18 of biological resources, cultural resources,  
19 recreational, etcetera. And then if you look down  
20 at the bottom, management of the visitation, access  
21 facilities and uses. Turn the page, continue to  
22 fill in the topics that came up through scoping into  
23 these topic areas. Fire, acquisition, etcetera. So  
24 the input that you're providing today will fit in  
25 that section.

1 Chapter 3 is called Affected Environment, and  
2 this is where we will provide the current management  
3 situation, according to these different resources  
4 that are provided. And the Monument matrix that you  
5 guys looked at where you were comparing the current  
6 MANAGEMENT, INC.that's a good basis for us to start  
7 there and it will certainly be expanded. That's  
8 where we have to outline what the current management  
9 is.

10 Chapter 4, Environmental Consequences, this is  
11 where we do the bulk of our impact analysis, so  
12 given the actions that we posed in Chapter 2, we  
13 then are required to analyze the impacts of those  
14 actions given these list of items. What is the  
15 impact on biological resources. What is the impact  
16 on fire. What is the impact on the geological  
17 resources.

18 Chapter 5 is a summary chapter where we will  
19 outline the steps that were taken in terms of  
20 consultation with different groups. We'll describe  
21 additional collaboration, and that area where it  
22 says responses to comments by issue area, that's  
23 will only be in the final.

24 So this is the outline for the draft and then  
25 we respond to comments, comment by comment, at the

1 final stage but in the draft stage. Are there any  
2 questions about that?

3 Okay. And this is going to perhaps morph over  
4 time a little bit but this is the draft outline and  
5 what it will look like.

6 The second item that you were requested to  
7 provide information about to you was the designation  
8 of wilderness. Did you receive management  
9 wilderness as a resource? Okay. So that handout.

10 And did you receive a letter from the California  
11 Wilderness Coalition. So the California Wilderness  
12 Coalition proposed an area to be determined for  
13 wilderness eligibility, and that's up here. Okay.

14 In this information sheet, managing wilderness  
15 as a resource, there is quite a bit of information  
16 in there. What I've taken out is the definition  
17 from the Wilderness Act, which you do have, of  
18 wilderness.

19 Number 1, it appears to have been affected  
20 primarily by the forces of nature. The imprint of  
21 man's work is ostensibly unnoticeable.

22 Number 2, it says outstanding opportunities for  
23 solitude or primitive and unconfined type of  
24 recreation.

25 Number 3, it's at least 500 acres of land.

1           Number 4, may contain ecological, geological,  
2           or other features. And you can find that within the  
3           Wilderness Act in this packet. So this is what --  
4           this is the definition of a wilderness according to  
5           the act.

6           What comes with wilderness are some specific  
7           uses. I would like to direct your attention to  
8           within this packet, managing wilderness as a  
9           resource. There is a section where it says -- or it  
10          explains the prohibition of certain uses, and you  
11          can take a look at this. There is no use of motor  
12          vehicles. There is no use of motorized equipment or  
13          motor boats. If you don't have a problem, and in  
14          this case, no landing of aircraft, no other form of  
15          mechanical transport. No structure or installation  
16          with any such area. And there are special  
17          provisions, there are exemptions to these. But in  
18          general, it's not a roaded area. There won't be  
19          motorized vehicles, and there is no mountain-biking,  
20          mountain bikes are considered mechanized.

21          Now, the proposal that you're looking at here  
22          came to us through the Monument scoping period.  
23          There was an additional proposal that came to the  
24          Forest Service during the forest plan revision  
25          scoping about a year ago. The same pieces of land,

1       when you look at this, the same Forest Service  
2       parcels of land had been proposed to the Forest  
3       Service to look at proposed wilderness, and the  
4       Forest Service began an inventory process of those  
5       areas. The proposal that came in during Monument  
6       plan scoping overlapped that previous proposal and  
7       added on a few parcels, a few sections of BLM land.  
8       So the process that we're undergoing right now is  
9       because this same piece of land was proposed to the  
10      Forest Service during the forest plan revision, we  
11      are going to work with Forest Service, such that the  
12      inventory of the extra BLM pieces are going to  
13      coincide so we're doing it together. The forest  
14      plan is not going to come out with that plan until  
15      late summer or fall of 2003. And that's the time  
16      when they will publish their determination of  
17      suitability of the wilderness.

18             That is only a recommendation for wilderness or  
19      not. Even if there is a determination of  
20      suitability, often times -- sometimes it's not  
21      recommended for wilderness. Many times it is  
22      recommended for wilderness. But that's just a  
23      recommendation. Congress ultimately has to  
24      designate wilderness, so that's the next process for  
25      that piece of land.

1           As I said, they are undergoing an inventory  
2 process right now.

3           CHAIRMAN KIBBEY: What if the two disagree?

4           MS. DUNNING: It would be very hard for us to  
5 disagree at this time, one of the reasons being if  
6 you look at the map of the back of that letter, you  
7 will see that the majority of the land that we  
8 proposed, the majority of the land that was proposed  
9 previously did fall on Forest Service land, with  
10 only a few parcels of BLM land around the edges.

11          And so those parcels of land around the edges for us  
12 to come up with a completely different  
13 recommendation than Forest Service would not be  
14 likely.

15          We also are obligated to work with the  
16 corresponding agencies that are nearby us when we go  
17 through this process. And so when they come out  
18 with their recommendation, when they're done with  
19 their inventory process, we hope to be done with  
20 ours as well. I've got a couple of numbers. This  
21 area here is already currently designated for forest  
22 wilderness. This is designated state park  
23 wilderness.

24          MS. HENDERSON: Identify the location, please.

25          MS. DUNNING: Certainly. This is Mount San

1 Jacinto state wilderness area. This is the Tram  
2 leading up. So this is the San Jacinto wilderness  
3 area. And further southwest Santa Rosa wilderness  
4 and Forest Service. This is the community of Pinyon  
5 and Saw Mill Road right here. So this is the Forest  
6 Service, Santa Rosa wilderness, and then we have the  
7 Bureau of Land Management Santa Rosa wilderness.  
8 And so this area here is designated wildemess, and  
9 this area is designated state wilderness within  
10 Forest Service area. The area that was proposed,  
11 currently being inventoried, was this section right  
12 along here of Forest Service land majority with a  
13 few BLM parcels on the side.

14 And I wanted to just give you a couple of  
15 numbers on what you're looking at here. The total  
16 BLM and Forest Service wilderness in the Monument is  
17 roughly 86,700 acres. That's about half of the  
18 federal lands that are in the Monument. And the  
19 state park wildeerness, add additional 5,700 acres.  
20 So just to help you kind of guide in terms of the  
21 federal acres that are in the Monument and the  
22 amounts.

23 There is a process of a evaluating wilderness  
24 which I didn't want to give you the whole packet  
25 because I didn't want to scare you, but there is an

1 exact inventory process, and I can discuss this with  
2 you or we can even choose to talk about it a little  
3 bit at length at a future meeting. But this is it  
4 if would like to take a look at it. There is some  
5 specific questions here to the inventory process.  
6 But the important thing for you to know now is the  
7 forest is undergoing this evaluation and we're going  
8 to work with them for those parcels, and you're  
9 certainly welcome as a committee to comment on that  
10 and it will be provided to the Forest Service. The  
11 next stage for public comment on what their  
12 determination is won't be until the draft plan is  
13 published in late summer, early fall.

14 CHAIRMAN KIBBEY: Comments? Questions?

15 MS. HENDERSON: Terry Henderson, City of La  
16 Quinta. The number that you just indicated out  
17 there, the 86,700 acres of total BLM USFS  
18 wilderness --

19 MS. DUNNING: Yes.

20 MS. HENDERSON: On one of these documents that  
21 we received and certainly in many other places, but  
22 it indicates here that the total acreage of BLM land  
23 is 86,000 acres. So it's all --

24 MS. DUNNING: About 90,000. This is BLM plus  
25 Forest Service.

1 MS. HENDERSON: That was in essence the  
2 question. All of BLM land wildemess area?

3 MS. DUNNING: No. If you add the BLM lands  
4 plus the Forest Service lands, they are wilderness,  
5 you get 86,000. If you add the BLM plus the Forest  
6 Service total acreage, you get 150,000.

7 MS. HENDERSON: Thank you.

8 MS. GEORGE: And this would be how many acres  
9 of federal land in Palm Canyon?

10 MS. DUNNING: That's a good question.

11 MR. HAVERT: According to this map it was  
12 29,700 acres.

13 MS. GEORGE: Within the Monument.

14 CHAIRMAN KIBBEY: 24,900.

15 MS. DUNNING: Thank you.

16 MS. GEORGE: Jeff, didn't you bring the group  
17 to a --

18 MR. MORGAN: I have the detailed map of where  
19 the exact boundaries are proposed, which was drawn  
20 earlier. This is Jeff Morgan, by the way, Sierra  
21 Club. This is not a new wilderness proposal. This  
22 was in the last round of wilderness additions, and  
23 in the negotiations we decided that the Santa Rosa  
24 wilderness should go forward at that time because it  
25 was more at risk for additional roads and fallen out

1 of wilderness, so we negotiated to do that one first  
2 and this one later. And now it's later.

3 And this was going to go into the Boxer bill  
4 that has since been withdrawn and been reformulated.  
5 It will be going back into that bill when it becomes  
6 reformulated next year. So it's not going to go  
7 away. If anyone wants to look at the map, I have a  
8 full detailed map. I think Buford has a map.

9 MR. CRITES: No.

10 MR. MORGAN: I gave you one about six months  
11 ago.

12 CHAIRMAN KIBBEY: Okay.

13 MR. MORGAN: I'll give you another one.

14 CHAIRMAN KIBBEY: Other questions?

15 MR. CRITES: Buford Crites. Just one question.  
16 When does the public make comments on the  
17 suitability of such a designation?

18 MS. DUNNING: The public comment period is when  
19 the public comes forward and states we feel this is  
20 an area that has potential and we propose this area  
21 for --

22 CHAIRMAN KIBBEY: Gentleman, please.

23 MS. DUNNING: And we propose this area for BLM  
24 Forest Service to examine. That's where this letter  
25 came from the scoping period. The process of

1 evaluation, we have very strict inventory and study  
2 procedures, and so your question, I hope I'm getting  
3 to it, about when the public comments on the  
4 suitability would be when the agencies respond to  
5 their inventory process and come out with their  
6 response at the draft plan time frame. You can then  
7 look and see what the results were and comment at  
8 that time. The agency needs to go through this  
9 process first to determine it's a very search  
10 procedure guide, I guess you could say.

11 CHAIRMAN KIBBEY: Answer your question?

12 MR. CRITES: Sort of.

13 MR. HAVERT: Bill Havert, if I can follow up  
14 just a little bit. Was the implication there that  
15 when the Forest Service land management plan comes  
16 out next summer, that would include some  
17 recommendation on the suitability of this, and does  
18 the public comment then in relationship to that?

19 MS. DUNNING: Yes.

20 MR. HAVERT: On the BLM portion of it, then  
21 would they be commenting to the different process?

22 MS. DUNNING: Yes, it would be an amendment to  
23 our CDC A plan. It would be a separate process that  
24 would be later, and there would be comment period.

25 MR. HAVERT: Presumably you try to do them at

1 the same time.

2 MS. DUNNING: Exactly. Also, Buford, to answer  
3 your question a little further, the Forest Service  
4 is having – I think they are having a working  
5 meeting with this planning process every couple  
6 weeks with a group that is providing some comments  
7 on that. Pat, is this coming up, this idea of  
8 wilderness, and I don't know, it may be past the  
9 time, I'm not sure.

10 MR. BOSS: May I? Pat Boss. We are having  
11 meetings every two weeks being held at the Idyllwild  
12 fire station and managed by our volunteer  
13 association. And Mike Taggerd is the president of  
14 that. And every meeting we have every two weeks, we  
15 just had one just this last Wednesday, we talk about  
16 OEB areas. This next meeting on the 19th we are  
17 going to be talking about the wilderness areas.  
18 Melinda Lyon, our representative, will be talking  
19 about that issue, what's going to be -- just like  
20 she said, what's going to be currently kept at that,  
21 any proposals for any additional wilderness areas  
22 and concepts. We're dealing with those every other  
23 two weeks until the 14th of February.

24 14th of February is the last comment period  
25 that we're going to have available to the general

1 public before it goes to a draft plan. When it  
2 comes out into draft plan, then the general public  
3 will look at the draft plan and we will have comment  
4 periods again for the general public as well as our  
5 working groups. So we're ongoing comment periods,  
6 as far as your question, Buford. If you had a  
7 comment as far as your area or any other area within  
8 the national forest area, you can make comment on  
9 that, written comment, you can send it to the  
10 Cleveland National Forest where the process is being  
11 handled. It will go into the draft process, and  
12 then it will be commented at that point in time. So  
13 it's ongoing.

14 CHAIRMAN KIBBEY: Jim.

15 MR. KENNA: One observation. The process Jeff  
16 is talking about and the process that is being  
17 discussed here are two different things, they may or  
18 may not track together. One is a legislative  
19 process, the other is an administrative process that  
20 ones runs on sort of a planning cycle, that sort of  
21 thing, and Senator Boxer isn't necessarily bound to  
22 that.

23 CHAIRMAN KIBBEY: Bill.

24 MR. HAVERT: Bill Havert again. In terms of  
25 the time frame for the anticipated release of the

1 draft Monument plan, how does that mesh with the  
2 Forest Service plan time line so that we can  
3 evaluate whether this committee should be making  
4 some recommendation, or would it be appropriate  
5 ultimately for the Monument plan to contain a  
6 recommendation regarding suitability for wilderness?

7 MS. DUNNING: Actually it would not be  
8 appropriate for the Monument plan to contain that  
9 recommendation because the process started through  
10 the forest plan revision process, and it's going to  
11 finish through the forest plan revision process.  
12 And we are the most flexible in our Monument plan in  
13 terms of what we include and what we don't because  
14 the Monument was designated after both of those  
15 planning starts happened. And so what we're doing  
16 is working with the forest group very closely.  
17 Because our plan is coming out ahead of theirs, they  
18 are not going to be done in the time that they  
19 allotted. They are not going to be done with the  
20 evaluation. And so to answer your question about  
21 what time is appropriate, I think at any time it's  
22 appropriate for you to have a discussion and to  
23 provide that recommendation to the Forest Service  
24 and subsequently to the BLM because we are going to  
25 be doing this together. But know that the time

1 period is now, the decision won't happen until late  
2 summer. So we have other items that we do need to  
3 address through the Monument plan that we should try  
4 to focus on now.

5 CHAIRMAN KIBBEY: Jeff.

6 MR. MORGAN: I think there is something we need  
7 to take into account, is when any federal agency  
8 updates a plan, being the CDCA or the Forest Service  
9 plan, they have to do a wilderness inventory anyway  
10 as part of the process. They are required to do  
11 this on the Federal Land Policy Management Act. So  
12 they have to do it anyway. They are not doing it  
13 because somebody is prompting them to do it. They  
14 may have been prompted a little bit but, you know,  
15 they are supposed to do it anyway. And they are  
16 supposed to say this is wilderness property or it is  
17 not, and then they are bound also to manage it in a  
18 certain manner after they have identified it or not  
19 identified it. It's something they have to do, and  
20 then it gives them guidance on how who manage their  
21 lands to stay within federal law.

22 MS. DUNNING: Just to follow up with that, a  
23 good thing to think about as a group is what other  
24 types of uses you as a group would like to see  
25 there. What other types of -- kind of instead of

1 thinking about it designated or not designated, what  
2 are the uses that -- or what are the use limitations  
3 that you see and designating wilderness as  
4 administrative -- it's a designation and it does  
5 come within a certain prohibition of use. There are  
6 other designations, other ways of managing the land  
7 that could also have the same prohibitions of use.  
8 So there is -- thinking about it in terms of what  
9 vision you have for the land is a good way.

10 MS. HENDERSON: When the matrix was put  
11 together and you went out to all the agencies and  
12 the cities for their input, did we get wilderness  
13 designation input?

14 MS. DUNNING: No, actually, at that time we  
15 were under the assumption that all of the wilderness  
16 proposals that had been brought forward would have  
17 been covered, had they been covered, through the  
18 CDCA plan or through the Forest Service plan. No  
19 proposals for specific areas came through our  
20 scoping process for the CDCA plan. So the Forest  
21 Service, they did come through. And so at the  
22 beginning that wasn't in our scope. We did get this  
23 letter the last day of scoping, now it is in our  
24 scope. And so it's certainly something that we  
25 could submit a question as an amendment, like you

1 know that that matrix is continuing to grow, so this  
2 could be something that we could help get input in  
3 terms of designation from the cities, and that would  
4 be information that I think would be helpful to the  
5 Forest Service.

6 MS. HENDERSON: I think it should be a part of  
7 that matrix because as you begin to look at that and  
8 you start walking your dog, you know, you know when  
9 you can walk him and when you can carry him and when  
10 you have to leave him and when you have to have him  
11 helicoptered to the next site, and, you know, let's  
12 find out what has to happen to the dog in the  
13 wildemess here.

14 CHAIRMAN KIBBEY: Other questions. Barbara?

15 MS. GONZALES-LYONS: Barbara Gonzales-Lyons,  
16 Agua Caliente. I think, Terry, you have a great  
17 idea. I think we do need to put that into the  
18 matrix and get the information from the tribe and  
19 from the cities and the counties to see what their  
20 ideas are on this wilderness.

21 CHAIRMAN KIBBEY: Danella.

22 MS. GEORGE: Mary, did you have your hand up  
23 before me? Okay. Danella George. The question was  
24 asked by, I think, Bill, about the MAC providing the  
25 advice to us. I still think that you can -- I think

1 it would be appropriate, and the reason I want to  
2 keep the MAC after the expiration date with this  
3 plan for things like this is as things come up. But  
4 I think it would be appropriate for the MAC to make  
5 a recommendation one way or another of how you feel  
6 about designation for Palm Canyon wilderness. I  
7 know the tribe has, I reviewed their letter and  
8 input.

9 MS. DUNNING: In speaking to the forest  
10 planning team that's located in Rancho Bernardo, I  
11 just spoke with them yesterday and they are willing  
12 to make themselves available to answer any  
13 additional questions you might have as a group at a  
14 later date or next meeting if you would like to talk  
15 about it further. They are available for that.

16 CHAIRMAN KIBBEY: Other questions? Buford.

17 MR. CRITES: Buford Crites. This might be one  
18 of those issues that you send off to a subgroup to  
19 bring back some of the arguments that are pro and  
20 obviously there are, at least in my bias, a fair  
21 number of arguments that are not favorable to this  
22 kind of designation. So get a set of arguments out  
23 there for this body to look at and to at least pass  
24 their comments on to both agencies.

25 CHAIRMAN KIBBEY: Bob, were you signalling?

1 No. My thought was that we do have the time and so  
2 that we would schedule this as a primary discussion  
3 item in our February meeting, if everyone is  
4 agreeable to that. And I think that, Buford, at  
5 that time, if we're unable to really come to any  
6 decision, we'll have staff schedule some  
7 knowledgeable people to help us out at that meeting,  
8 then we can do a subcommittee to go further. But I  
9 think that we can do this as a primary discussion  
10 item. Is that agreeable to everyone?

11 MR. CRITES: Sure.

12 CHAIRMAN KIBBEY: Danella, would you note that,  
13 please. Yes, Barbara.

14 MS. GONZALES-LYONS: Barbara Gonzales-Lyons.  
15 Are we still going to be asking like Terry had  
16 requested, the information from the different cities  
17 and counties and tribes dealing with the wilderness?

18 MS. DUNNING: If we get the pros and cons maybe  
19 drafted and then send those to the city, I'm  
20 concerned they might not know the pros and cons if I  
21 just send it, hey, respond. I think that's one  
22 suggestion.

23 CHAIRMAN KIBBEY: Terry.

24 MS. HENDERSON: Originally my thought on this  
25 was that we had what the various entities would

1 allow within their jurisdiction. What I'm looking  
2 for is what is allowed by wilderness so we can plug  
3 that into the matrix and then look on that. With  
4 the information we already have, we now have another  
5 what I term as restrictive entity here that we want  
6 to start comparing. I think what you might be  
7 suggesting is that the wilderness criteria go back  
8 out to the cities for comment.

9 MS. GONZALES-LYONS: Or how do they feel about  
10 this wilderness plan, I know it's been out there and  
11 I know the tribe has some concerns. I know other  
12 cities have concerns. So I think those need to be  
13 brought forward. You know. And that's all I'm  
14 asking, for that information to be brought forward  
15 to this body before this body makes a decision on  
16 something.

17 CHAIRMAN KIBBEY: Connell, as part of that  
18 February meeting would it -- would staff be able to  
19 query the various entities and bring their answers  
20 back to that meeting on this specific --

21 MS. DUNNING: What would the query be?

22 CHAIRMAN KIBBEY: Basically any thoughts they  
23 would have on the designation of wilderness to this  
24 area, is that it, Barbara?

25 MS. GONZALES-LYONS: Right.

1           CHAIRMAN KIBBEY: Nothing in-depth, just send  
2           them a map and say this is coming up and the MAC  
3           will be discussing it, and we would like any input  
4           you might have as far as that's concerned. And  
5           before you answer that, Pat is wearing his chair  
6           out. You had a comment.

7           MR. BOSS: I do have a comment. Pat Boss. The  
8           comment is if this body here would like more or have  
9           their input as far as their concerns about the  
10          wilderness area, if we could get those through  
11          Connell and myself or to Laurie, those concerns at  
12          the February meeting, we can address those concerns  
13          and those issues at that point in time, be it from  
14          the Indian tribe and so forth. And what other  
15          concerns this body might have, we can make sure we  
16          address all those issues at that time at the  
17          February meeting. So if we can get your guys'  
18          concerns in writing, what your issues are, maybe we  
19          can handle those at a better time.

20          CHAIRMAN KIBBEY: My thought was that meeting  
21          would be to raise those concerns, but certainly we  
22          would like you guys to be there to make such  
23          presentations you think would be useful, you and  
24          BLM, and to kind of give us information to discuss  
25          and raise at that time. I'm just thinking on

1 Barbara's note that there might be some comments  
2 from the cities involved, that they would probably  
3 not be able to come to that meeting. So if we could  
4 facilitate those comments by going out with a letter  
5 in between now and February 20, whatever it is, our  
6 meeting of February, then that would help us out.

7 MR. BOSS: You bet.

8 CHAIRMAN KIBBEY: Jim.

9 MR. KENNA: Jim Kenna. I was just going to  
10 offer what I think might be a simple way to capture  
11 what I think I heard from all of you, I think the  
12 agencies should just receive information from those  
13 on this body that any jurisdiction that wishes to  
14 comment, to compile it into some sort of a staff  
15 paper and add to that some of the information that's  
16 already been put together so you have a staff paper  
17 to work out of in the February meeting.

18 CHAIRMAN KIBBEY: Jim, I would request, though,  
19 that you be proactive in contacting the cities  
20 because they are not here, they are not hearing  
21 this, contacting the cities and the county and  
22 telling them what we're going to do and ask them to  
23 put that input. Yes, Bill.

24 MR. HAVERT: Bill Havert. Isn't each city in  
25 the county here represented on the MAC? Shouldn't

1 they just be the conduit for that?

2 MS. GEORGE: Six of the cities are.

3 CHAIRMAN KIBBEY: I have no problem with that,  
4 it's just on occasion that conduit gets a bend in it  
5 and it doesn't quite get that information. So I  
6 just thought that a note from BLM might be helpful  
7 to help the conduit. Jeff.

8 MR. MORGAN: Maybe you could straighten out the  
9 bend a little bit. All you're doing is adding an  
10 extra layer of that stuff that makes a mountain of  
11 more and more paperwork. If the representatives  
12 from the cities are here, it's up to them to go back  
13 to the city and say look, this is what's going on.

14 CHAIRMAN KIBBEY: Fine with me.

15 MR. MORGAN: What do you think and what should  
16 I say when I get back to the meeting.

17 CHAIRMAN KIBBEY: It seems to be the agreement  
18 I guess.

19 MR. MORGAN: The second part of this, the  
20 boundaries of this wilderness do not fall within any  
21 of the city jurisdictions. They are all outside of  
22 all city boundaries. They are within the county.  
23 And they are adjacent to some current Agua Caliente  
24 land and possibly future if they go ahead with  
25 transfers. But none of them are within any of the

1 city limits.

2 CHAIRMAN KIBBEY: This is true. But we have  
3 always operated under the assumption that the  
4 Monument would affect all surrounding communities  
5 and tribes, and so therefore we should work to get  
6 comment from them as to what would be going on in  
7 and perhaps around the Monument so that we have  
8 their thinking. And that's pretty much what we've  
9 operated under, and I think we'll go ahead with  
10 that. Bill.

11 MR. HAVERT: For clarification, are you sure  
12 someone from Palm Springs is not in here?

13 MR. FREET: Palm Springs is, quite a bit.  
14 Quite a bit. That's my drawing. It's hand-drawn.

15 CHAIRMAN KIBBEY: So we will then depend on the  
16 conduits. Terry.

17 MS. HENDERSON: Terry Henderson. I agree. The  
18 reason I think I'm here is to bring the input from  
19 the city of La Quinta and for me to take back things  
20 that are happening here. So I'm willing to do that.  
21 But I would still want to go back to this document  
22 that was prepared and sent out to all the agencies  
23 and then follow it up with one to cities, and all I  
24 want is one more column down here that says  
25 wildemess plan, and maybe it doesn't have -- maybe

1 you guys have the answers. Maybe you can sit down  
2 and fill all these answers in, so that it is now on  
3 here and when I go back to the city, I can say,  
4 okay, we've got this additional issue, how do you  
5 feel about it. Does that make sense?

6 MS. GEORGE: Danella George. Following up from  
7 what Jim has said and what you are needing, Terry,  
8 is yes, we can do a matrix, mainly going to the feds  
9 because we have the wildemess, Connell has provided  
10 visually to you all, and then what we need is maybe  
11 sent to you guys on the MAC the pros and cons that  
12 Connell was talking about, basically these are the  
13 uses that would now be excluded from the Wilderness  
14 Act, and to allow you to work with your cities to  
15 come back and make a recommendation. Does that make  
16 sense? Fill in the matrix, right? And mainly by  
17 the feds, and then a little pros and cons, here are  
18 the uses that are existing right now in there  
19 federally, here are the things that would be  
20 excluded, and come back.

21 CHAIRMAN KIBBEY: Connell.

22 MS. DUNNING: I just wanted to reiterate  
23 Buford's previous suggestion was that the MAC have a  
24 working group to come up with those pros and cons  
25 and that it not be an agency pro con. We can

1 certainly identify uses, prohibitions, that type of  
2 thing, but the pros and cons, as Buford suggested, I  
3 think would come from the MAC.

4 CHAIRMAN KIBBEY: Buford.

5 MR. CRITES: Buford Crites. The designations  
6 and those things that are allowed, aren't allowed,  
7 are by law. It is folks around this table who  
8 determine whether those are pros or cons or some of  
9 both or whatever it happens to be. I mean those are  
10 legal issues. Then it's a value judgment.

11 CHAIRMAN KIBBEY: Speaking for Danella, I think  
12 that's what she was indicating, that those that are  
13 in the law be set out so that the cities would have  
14 something to comment on. And they would determine  
15 their own pros and cons and we would have that  
16 information.

17 MS. GEORGE: Pulled out and staffed out so you  
18 don't have to go hunting for it in the Wilderness  
19 Act.

20 CHAIRMAN KIBBEY: It's wilderness out there.  
21 Bary.

22 MR. FREET: Bary Freet. Just for the record, I  
23 just wanted to correct a statement that Jeffrey  
24 made. My observation is that a considerable amount  
25 of the proposed wilderness area, wilderness study

1 area is in the City of Palm Springs boundaries.

2 MR. MORGAN: Yes, I was incorrect on that one  
3 and I was speaking mainly to the people.

4 CHAIRMAN KIBBEY: Barbara.

5 MS. GONZALES-LYONS: Barbara Gonzales-Lyons,  
6 Agua Caliente. The other thing is are we also going  
7 to get whatever information Jeff has on his bill,  
8 because that's another layer of this Wilderness Act  
9 besides what is allowable in a Wilderness Act,  
10 what's that bill actually have to say and is that  
11 what we're proposing to go ahead and go forward on?

12 CHAIRMAN KIBBEY: In response to that, Jeff, is  
13 there anything differentiated in the legislation.

14 MR. MORGAN: This is not a bill just for this  
15 one piece of wilderness. It's a omnibus bill for  
16 about 50, 57 different areas throughout California.  
17 This is just one small part of it. There is other  
18 parts all through the state. Currently the bill is  
19 not moving forward. It's being rewritten, redrawn,  
20 given political differences from when it was first  
21 started. And it will be resurfaced in probably  
22 early next year. But right now it's not moving  
23 anywhere.

24 MS. GONZALES-LYONS: But is that something we  
25 need to look at this point or not?

1 CHAIRMAN KIBBEY: I think we can look at that  
2 at the February meeting. That will come up and I  
3 think we've discussed this sufficiently to give  
4 staff guidelines. We can go forward with that.

5 If there is nothing else?

6 MR. WOODS: Question?

7 CHAIRMAN KIBBEY: John, not on this one, thank  
8 you. Lands opportunity, Jeff.

9 MR. MORGAN: This issue is regarding I guess  
10 public lands within the National Monument. If you  
11 look at the map I gave you, it shows a picture,  
12 shows section 24, it's within the Monument boundary.  
13 The Monument boundary is not very clearly defined  
14 but it's roughly this line that runs along this  
15 storm drain around into Rancho Mirage Cove and then  
16 around the cove, this is within the Monument.

17 I believe it is part of the Monument process we  
18 are trying to acquire lands within the Monument, not  
19 dispose of them. And there was a proposal made by a  
20 private party who owns land adjacent to this section  
21 that he exchange this section for other lands he  
22 owns somewhere else. So this would in effect be  
23 removing currently public lands in the National  
24 Monument and placing them in private ownership. And  
25 I think that's probably a bad precedent since we're

1 trying to build a national monument, a cohesive  
2 thing here. I thought it's something we should take  
3 a look at.

4 Now, the public lands in question are owned by  
5 California Department of Fish & Game. They are  
6 managing it fairly reasonably right now. This  
7 section 24 has the only remaining mountainous trail  
8 in Rancho Mirage. All the other ones are gone, lost  
9 to development. It's a heavily used trail. People  
10 use it for exercise, use it for views. They use  
11 it -- whatever they use it for, it's the most  
12 popular and heavily used trail in Rancho Mirage. If  
13 this section of public land gets transferred to  
14 private ownership, you have no guarantee what would  
15 happen to that trail. So at this time I don't see  
16 how we can support this exchange, whatever form it  
17 may be in. I don't think we should be losing the  
18 Monument, I think we should be trying to gain  
19 Monument as it's been doing very well over the last  
20 10 years.

21 CHAIRMAN KIBBEY: What are you asking of the  
22 MAC?

23 MR. MORGAN: I'm trying to bring this to their  
24 attention.

25 CHAIRMAN KIBBEY: But what act?

1 MR. MORGAN: I don't know if we can really take  
2 action because this is state lands and not federal  
3 lands.

4 CHAIRMAN KIBBEY: My understanding of --  
5 correct me if I am wrong, is the state is now  
6 considering this trade, if you will, and that a  
7 letter from this, from the MAC, would be accepted by  
8 state Fish & Game as a part of this process.

9 MR. MORGAN: I believe that would be in order,  
10 although you could ask the State of California Fish  
11 & Game representative to clarify that if you would  
12 like, and also I'm not quite sure what their  
13 policies are regarding land exchanges. They have  
14 done it in the past, usually you only find out about  
15 them after the fact.

16 CHAIRMAN KIBBEY: Let's hear from the state  
17 Fish & Game.

18 MR. KONNO: Edward Konno from --

19 MS. GEORGE: We don't have a mike so you need  
20 to speak up.

21 MR. KONNO: As a matter of our policy whenever  
22 we have --

23 CHAIRMAN KIBBEY: Would you spell your name.

24 MR. KONNO: K-o-n-n-o, first name Eddie. As a  
25 matter of policy our real estate transactions are

1 done confidentially, and we do consider offers, we  
2 will accept a letter as part of the consideration of  
3 this. But we do have a process for this and it's  
4 just part of the way we manage our lands, and I  
5 think that in terms of the Monument, it doesn't --  
6 the legislation for the Monument doesn't supercede  
7 any of our current management policies, I believe.  
8 I believe that the legislation establishing the  
9 National Monument doesn't supercede our ability to  
10 manage our lands the way we see fit, so we do  
11 consider real estate offers and we do consider  
12 acquisitions, but we do it confidentially.

13 CHAIRMAN KIBBEY: But it is your belief that  
14 whoever is making this decision or undertaking this  
15 consideration would receive and take into  
16 consideration correspondence regarding this.

17 MR. KONNO: Yes.

18 CHAIRMAN KIBBEY: Buford, do you have a  
19 question?

20 MR. CRITES: I was just going to support what  
21 Eddie said. Buford Crites. I received -- a letter  
22 just came yesterday when I received from Kurt  
23 Tausher, who is the regional manager for Fish &  
24 Game, and I have requested on behalf of the  
25 Coachella Valley Association of Governments that we

1 receive notification of proposed land exchanges that  
2 are within the proposed boundaries of the Coachella  
3 Valley Multiple Species Habitat Conservation Plan,  
4 because that's obviously important when you start  
5 thinking about the protection of lands and things  
6 disappear from public ownership.

7 And, quote, it is the department's policy that  
8 all potential land exchanges are confidential until  
9 they have been purchased by the Wildlife  
10 Conservation Board in order to protect real property  
11 interest for all parties concerned. And it goes on  
12 to say that perhaps once we have a multiple species  
13 plan, perhaps it might be possible to exchange  
14 information. But in essence, it's Fish & Game  
15 policy that the public won't know about this until  
16 it's done. Which, on one like this, and on one that  
17 is very close geographically some years ago, has a  
18 poor feel to it, to me, as a public official.

19 CHAIRMAN KIBBEY: Terry.

20 MS. HENDERSON: However, what I'm hearing here  
21 in the land acquisition is certainly nothing that is  
22 different than the way municipalities work in land  
23 acquisition. So none of this surprises me. And I'm  
24 also hearing innuendos, if you will, from folks that  
25 know more than I know about this. Now, I'm sitting

1 here making some of my own assumptions, but based on  
2 what I've heard so far, and my assumptions, and what  
3 I think may be going on out there, I wouldn't be  
4 prepared to support a letter from the agency, at  
5 least today. I would have to have far more  
6 information before I could go on record as in  
7 opposition or support. And we're never -- we won't  
8 get the details until it's done. And if you folks  
9 know something else, you need to bring it forward.

10 CHAIRMAN KIBBEY: Gary.

11 MR. WATTS: Gary Watts, State Parks. Eddie,  
12 does Fish & Game have what they call declaring  
13 surplus property program? I know in parks if we go  
14 to exchange a parcel with somebody else we have to  
15 declare it surplus and go through a legislative  
16 proposal to make that happen. Do you parallel that  
17 process?

18 MR. KONNO: I don't know.

19 MR. WATTS: I have one second question to you  
20 or comment basically. And if the committee, the MAC  
21 decided they did want to comment on this, my advice  
22 would be to voice that concern, if they are so  
23 concerned, and send it to the director of Fish &  
24 Game at the highest level. So that, you know, one  
25 way or the other the concern is noted before it's a

1 done deal.

2 CHAIRMAN KIBBEY: Jeff.

3 MR. MORGAN: Yeah, answering Terry's question  
4 or comment a few moments ago, this isn't the private  
5 land issue as it could be, as it may be under  
6 typically the Fish & Game policy. They are  
7 acquiring lands, keeping them quiet until after they  
8 have done it, and then they put them into their  
9 system. In this case it's a disposition of lands.

10 And so it's not really a private property issue, it  
11 is a transference of public lands. They are all  
12 open to the public at this time. They are called  
13 several months a year for bighorn sheep, probably in  
14 the summer but I'm not quite sure. You would have  
15 to ask Eddie just where the boundaries of closures  
16 are. But this is taking public land out of the  
17 system and privatizing it.

18 MS. HENDERSON: Good point.

19 MR. MORGAN: That is, as I say, I don't think  
20 that's a good precedent for the National Monument.

21 CHAIRMAN KIBBEY: Bill.

22 MR. HAVER T: This is both a -- well, it's an  
23 exchange, so on one hand Fish & Game would be giving  
24 up land, but part of it is to acquire land as well.  
25 Typical process, when there is an acquisition by the

1 Wildlife Conservation Board which acts on behalf of  
2 Fish & Game, there is a public process, because it  
3 has to go before the Wildlife Conservation Board and  
4 it is a public entity, I think it's studied through  
5 the Brown Act or the Open Meetings Act, they do have  
6 to publish the agendas. There is an opportunity for  
7 comment. I don't know how this could be in  
8 confidence and not have that element of the process.  
9 I don't know, I'm just throwing these questions out,  
10 as to whether this is a project subject to CEQA.  
11 We're a state agency. If we do acquisitions those  
12 are subject to CEQA. We might file a notice of  
13 exemption session if they're only acquiring for  
14 conservation purpose, pursuant to statutes that set  
15 forth those exemptions, but we still have to do that  
16 and that's still a public process. So I'm not sure.  
17 I think it would be interesting to get input from  
18 Fish & Game legal counsel as to the authority for  
19 the confidentiality of the process.

20 CHAIRMAN KIBBEY: Let Eddie talk.

21 MR. KONNO: What happens, as I understand it,  
22 our decision whether we're going to proceed with  
23 this or not is made within the region, and Kurt  
24 Tausher is the regional manager who made that  
25 decision. And then it is sent out to the Wildlife

1 Conservation Board, at which time there is a public  
2 comment period that the public is able to comment.

3 MR. HAVERT: It didn't seem to be the sense of  
4 that letter so maybe --

5 CHAIRMAN KIBBEY: Bob.

6 MR. BROCKMAN: Bob Brockman. Seems like  
7 hearing two different things now. And what Bill  
8 described and what my sense working in local  
9 government would be, is that at some point, even  
10 though the negotiations for this land exchange may  
11 be in confidence, at some point it's got to come out  
12 at a closed session to an open meeting for decision.

13 And I can't believe that Fish & Game is immune from  
14 that kind of ultimate decision down the road before  
15 this thing is final. So I think we are hearing two  
16 different things, and what Buford read just doesn't  
17 sound like it's part of a public process to me, that  
18 Fish & Game want to be ultimately held.

19 CHAIRMAN KIBBEY: Al Muth.

20 MR. MUTH: Al Muth. My initial reaction to  
21 this is something smells here. I concur with Jeff  
22 that removal of land from the Monument, public land,  
23 is not good precedent. One of the pieces of  
24 information that we're missing here is what's being  
25 offered. Is there some overriding good that can

1       come out of this. And is that negotiation for the  
2       trade lands also a secret? I mean we won't know  
3       what's offered?

4       MR. MORGAN: No. I can --

5       CHAIRMAN KIBBEY: Let Eddie respond, please.

6       MR. KONNO: From my part, any real estate deal,  
7       any real estate transaction are confidential.

8       MR. MUTH: Then the other thing I would point  
9       out is this is like every other land exchange, we're  
10      looking at a square mile here and trade lands need  
11      to be an equal dollar value. And you can get 100  
12      feet of frontage somewhere on Highway 74 in  
13      exchange. So I think there are a number of things  
14      that need to be brought forward and out in the open  
15      regarding this proposed exchange.

16      CHAIRMAN KIBBEY: Buford.

17      MR. CRITES: Two comments. One, if you're  
18      curious as to where the piece of land is, look out  
19      the window, you're looking at it. That's it.  
20      That's the mountain that sits right over the top of  
21      Rancho Mirage and Palm Desert.

22      And secondly, I suspect that what Kurt Tausher  
23      has written is probably not what he meant to write.  
24      I mean I think what Bill said is true, eventually it  
25      goes to Wildlife Conservation Board and appears on

1 an agenda, but that doesn't, to me at least, have  
2 any -- resolve any issues. The odds of anybody  
3 around this table or in this valley happening to see  
4 the agenda for the Wildlife Conservation Board  
5 meeting in Sacramento, and noting what it has to do  
6 with an area around your community, are, I suspect,  
7 remarkably poor. And the same thing happened to  
8 Rancho Mirage once already. Those kinds of things  
9 happen. Precedent of trading off, and I believe  
10 part of National Monument, and part of all of our  
11 concerns have to do with viewshed and everything  
12 else of trading off a significant piece of land,  
13 whatever the values are, as versus exchanging or  
14 purchasing those other lands or other ways of  
15 obtaining those other lands is unless there is  
16 remarkable exception here for public policy.

17 CHAIRMAN KIBBEY: Jeff.

18 MR. MORGAN: What I would like to say, and back  
19 to this confidentiality thing, the last time this  
20 happened to my knowledge, and it was pretty much in  
21 this area, I only found out about it afterwards as  
22 did many other people. And by that time,  
23 development was under way.

24 CHAIRMAN KIBBEY: Other comments, questions?

25 Bill.

1 MR. HAVERT: Bill Havert again. It seems to me  
2 there is two separate issues we can look at here.  
3 One is process, the other is this specific land  
4 exchange. If the Monument committee feels that it  
5 doesn't have enough information and the details to  
6 comment on whether this particular exchange is  
7 appropriate or inappropriate, I think at least there  
8 is a sense here that in terms of process, it might  
9 be that the MAC would want to convey to the  
10 department of Fish & Game that from the standpoint  
11 that we're all trying in partnership to accomplish  
12 the conservation of the resources there, that there  
13 is a sense that it is appropriate for the -- all of  
14 the partners; local, state, federal, to communicate  
15 and mutually contemplate land exchanges,  
16 acquisitions, anything that relates to the  
17 conservation of the resources.

18 And then secondly, it might be appropriate to  
19 ask for clarification on the process, as to whether  
20 is it confidential, is it the department's policy  
21 that it's confidential only so long as it stays  
22 within that department of Fish & Game, and at such  
23 time it becomes a Wildlife Conservation Board then  
24 it's a public process, or as the letter seems to  
25 imply, is it confidential until it's all over and

1 the deeds have been transferred and that's the end  
2 of it?

3 CHAIRMAN KIBBEY: Danella.

4 MS. GEORGE: Danella George. On the MAC -- the  
5 purpose of the MAC Advisory Committee is to advise  
6 secretaries of agriculture and interior on the  
7 management plan. I think it's outside of the  
8 purview to advise the governor of the State of  
9 California appointee Mary Nichols but I'm sure folks  
10 can write letters. The other thing we can do is  
11 what we tried to do in the past, is try to educate  
12 the MAC on the process and the events occurring  
13 within the Monument that were nonfederal. So it  
14 would be appropriate, I think, for Ed and I to write  
15 a letter requesting a presentation of both process,  
16 as well as what this real estate venture is, to the  
17 MAC in the February meeting, a more detailed  
18 presentation with the information of what this is.

19 CHAIRMAN KIBBEY: Jeff.

20 MR. MORGAN: For all we know this might be a  
21 done deal by February. These things don't move  
22 slowly, they move very quickly usually. So as to  
23 get them done and put out of the way before anyone  
24 can -- how can I put it -- have influence on them.

25 So another comment, too, State of California is

1 a partner in the National Monument. And the State  
2 of California I would think should be looking to  
3 protect the Monument rather than fragment it.

4 CHAIRMAN KIBBEY: Bob.

5 MR. BROCKMAN: I would echo what Jeff said  
6 because the attorney for this individual has been  
7 telling others that it is a done deal. And I think  
8 time is of the essence. And that this committee,  
9 whether or not we have any full authority with the  
10 state, should express itself with regard to  
11 certainly the process so that we are not out of the  
12 loop in a comment period that the state may have,  
13 assuming that there is some public review and  
14 decision-making process involved here. I would  
15 certainly be favoring a motion for -- from this  
16 committee to that effect.

17 CHAIRMAN KIBBEY: Bob.

18 MR. LYMAN: Bob Lyman. Isn't the substantive  
19 issue diminishment of public lands within the  
20 Monument, regardless of process, that's the  
21 substantive issue? It isn't appropriate for the MAC  
22 then to make a statement or a position statement  
23 that said, we don't want to see diminishment of the  
24 public lands within boundaries of a national  
25 Monument, that's the issue, put it down on the

1 table, everybody is aware of it, you're done,  
2 doesn't become Fish & Game, doesn't become all the  
3 different entities, here's a position statement of  
4 the MAC.

5 CHAIRMAN KIBBEY: Mary.

6 MS. ROCHE: Basically if I were a voting member  
7 and obviously I've only been here twice, however  
8 this is going about is not in the public interest in  
9 my evaluation. And sitting on a governmental body,  
10 while real estate transactions are confidential in  
11 that you discuss them in closed session, they are  
12 not -- they should not be confidential, at least in  
13 our city, and I can't believe a government agency  
14 can keep them confidential. The discussion and how  
15 you're going about it is confidential so that your  
16 negotiations are not later challenged in court.

17 But the fact of the matter is, in order to  
18 discuss it in closed session, you must first publish  
19 that you're going to discuss it. So that part has  
20 to be public or you're violating all sorts of public  
21 trust and public regulations. So I don't understand  
22 how whether it's the latter or even the presentation  
23 you're suggesting, is that there is no duty to put  
24 it down in writing and get it out to the public so  
25 that they know at least it's going on so that there

1 is an awareness of it.

2 And I would, I'll tell you if this were on

3 Indian Wells border and it was our peak behind our

4 city, we would be up there screaming, I would think.

5 I mean -- and I do know, I have a son now who lives

6 in Rancho Mirage, this is the one trail that is

7 used. If there is public use, then I think whatever

8 our responsibility as a MAC is, we need to get

9 involved in this. We need to say it's a

10 diminishment of public lands, public service, public

11 use, and maybe each of us need to go back to our

12 cities as well and have our cities contact state

13 department of Fish & Game. It's our watershed, it's

14 our watershed, it's our Monument, and we need to

15 protect it for the public.

16 CHAIRMAN KIBBEY: Buford.

17 MR. CRITES: Is it appropriate place to motion

18 on the floor?

19 CHAIRMAN KIBBEY: I believe so, let me just ask

20 if there are other comments or questions. Terry.

21 MS. HENDERSON: Just a follow-up comment to my

22 earlier comment regarding the actual scope, if you

23 will, of the deal. I would remain still comfortable

24 with my position on that, however, I certainly do

25 support some sort of communication that references

1 this process. I think that what I've heard  
2 here -- more specifically, I think the letter that  
3 Buford received is the one that's kind of thrown up  
4 more red flags than anything else. So the process,  
5 I do think, sounds a little fishy. And maybe Fish &  
6 Game should know we think it's a little fishy.

7 CHAIRMAN KIBBEY: Buford, the reason I wanted  
8 to hold up on your motion was because I wanted to  
9 make a comment, what I am hearing here. We do have  
10 certain legal restrictions as an advisory committee.  
11 However, I don't believe there is any restriction at  
12 all that this organization -- excuse me, this  
13 committee could not address a letter to Fish & Game  
14 stating that we are aware, stating that there is a  
15 concern of any diminishment of the Monument due to a  
16 land transfer, and stating that we would like to be  
17 informed of any future types of dealings. Through  
18 this, then we would simply be putting on record that  
19 there is a committee that is responsible, that there  
20 is a plan underway, and that we have a concern. I  
21 don't think in any way this committee has the  
22 ability to comment on their process. I would like  
23 very much for the cities to do that. That is not  
24 our purview. And so having said that, then we will  
25 recognize a motion from Buford.

1 MR. CRITES: I would second your motion.

2 CHAIRMAN KIBBEY: Okay.

3 MR. MORGAN: Comment.

4 CHAIRMAN KIBBEY: Comments on the motion.

5 Barbara.

6 MS. GONZALES-LYONS: One comment. Can we say,

7 was it land transactions you were saying of in the

8 future, I would say like of now and in the future,

9 because they may say, well, this is not in the

10 future, this is happening now, so I would like to

11 make it where we're saying any other removal of

12 properties now and in the future.

13 MR. CRITES: Has significant negative impacts

14 on the public interest.

15 CHAIRMAN KIBBEY: Other comments on the motion?

16 Jeff I think was first.

17 MR. MORGAN: I was going to say what Barbara

18 said, make sure this one is part of whatever we're

19 going to say.

20 CHAIRMAN KIBBEY: Bill.

21 MR. HAVERT: Bill Havert. Just to clarify. I

22 thought I heard you say it wasn't appropriate for

23 this body to comment on their process, and I think

24 it is appropriate, however, to ask for clarification

25 of their process.

1 CHAIRMAN KIBBEY: I think you're correct,  
2 however I was going to then, once we get this done,  
3 suggest the February 28 -- the February meeting,  
4 that we would get an in-depth report on the process  
5 and things like that. I hesitate to mix the two  
6 together in this letter, again, because of Danella's  
7 comments on our limitations. Terry.

8 MS. HENDERSON: Yes, in referencing the motion,  
9 did it get a second and is this the discussion on  
10 the second?

11 CHAIRMAN KIBBEY: It turned out I was a making  
12 a motion and he made a second and the motion is on  
13 the floor for discussion.

14 MS. HENDERSON: Then in reference to that, as  
15 far as the process, which I said I supported us  
16 commenting on, you said and put in your motion that  
17 you did not think that we have that ability or  
18 should step over those lines. I go back to what  
19 Danella said which is what our charge here is, is  
20 put a management plan together. And part of a  
21 management plan goes to the land, and in fact it's  
22 our first point here that we'll be looking at, is  
23 land acquisition. Well, land acquisition goes to  
24 process. So I don't think see where there is any  
25 problem being on record regarding some other

1 agency's process on land acquisition or trading that  
2 affects our Monument and our plan as we are putting  
3 it together.

4 CHAIRMAN KIBBEY: The motion said that we would  
5 like to be informed in the future of any types of  
6 this land transfer, other actions that might affect  
7 land within the Monument, and I believe that speaks  
8 to the process without saying so. And I want to  
9 keep that dividing line. Again, I would suggest  
10 after we get done with this, we will try in the  
11 February meeting to get some folks down here and  
12 learn what the true process is and be able to  
13 comment face to face with that person making the  
14 representation. Bob.

15 MR. BROCKMAN: Did your motion include the  
16 concept that Bob had raised in terms of the concern  
17 about disposition of any public lands within the  
18 Monument?

19 CHAIRMAN KIBBEY: I believe it did.

20 MR. BROCKMAN: I think that's an important  
21 element of the motion.

22 CHAIRMAN KIBBEY: Yes. The intent was there  
23 when I said that we would write a letter concerning  
24 any transfer or affect of any land within the  
25 Monument that might be detrimental to the Monument.

1           MR. BROCKMAN: I would offer something stronger  
2 than that, in a preamble to that, because of the  
3 committee's concern about this position of public  
4 lands within the Monument area. We would like to be  
5 informed of the present and future land disposition  
6 acquisitions from state Fish & Game.

7           CHAIRMAN KIBBEY: Yes, this was part of the  
8 motion, not exactly those words but.

9           MR. BROCKMAN: Of course.

10          MS. GEORGE: Danella George. I also believe,  
11 going back to the legislation, the part of  
12 cooperation consultation that's in the language of  
13 the Santa Rosa San Jacinto Mountains National  
14 Monument Act, as well as the secretary's three Cs,  
15 is that the state is one of the cooperating  
16 agencies. California Department of Fish & Game is  
17 spelled out in there, so you can approach it  
18 definitely from language of the legislation with  
19 that cooperative spirit as your core.

20          CHAIRMAN KIBBEY: Any other comments on the  
21 motion?

22          MR. CRITES: Quick if we took a break and  
23 allowed 15 minutes during the break, the exact  
24 wording of this, maybe we come back at 11:00 and  
25 take a vote?

1 CHAIRMAN KIBBEY: I don't want to use my 15  
2 minutes that way.

3 MR. CRITES: You're the chair.

4 CHAIRMAN KIBBEY: What I was going to suggest,  
5 that this would be written up and then E-mailed to  
6 everyone for comments and approval, and I'm very  
7 aware of the clock here. And we'll do it this way  
8 rather than try to rush it through here and get  
9 something we really wouldn't like. I think over the  
10 next five to six days over the E-mail systems, which  
11 some of us use extensively, we can arrive at a  
12 letter that is satisfactory to everyone. Gary.

13 MR. WATTS: For the record, I don't want to say  
14 this to cause jurisdictional problems with  
15 department Fish & Game, clearly understood,  
16 Mr. Tausher is a good colleague of mine and I don't  
17 dare to tread on department Fish & Game business,  
18 but as a representative on this committee for the  
19 State of California Resources Agency, let me say  
20 that on behalf of all the citizens of California,  
21 this resources agency would love to have input  
22 regarding issues as it relates to our cooperative  
23 efforts within the Monument, and maybe using that,  
24 that would allow you to move forward freely  
25 providing it.

1 CHAIRMAN KIBBEY: Any other comments on the  
2 motion?

3 MR. MORGAN: On more comment just to make sure  
4 we are actually do include some kind of objection to  
5 this current proposed transfer. You know, in some  
6 fairly definitive language.

7 MS. HENDERSON: How can we object, we don't  
8 know everything there is to know about it.

9 CHAIRMAN KIBBEY: Let's not get cross  
10 discussion here. I would agree with the comments  
11 that Terry just made. We will allude to this  
12 transfer, but I don't -- the motion as made was to  
13 object to any transfer.

14 MR. MORGAN: Present and future.

15 CHAIRMAN KIBBEY: So I think that would include  
16 that. We're walking a fine line here in my  
17 estimation. If there is no further comment on the  
18 motion, we'll call the motion for a vote. Those in  
19 favor? No opposed.

20 I guess we should identify those are who up for  
21 these reseating, whatever we call it. So if each of  
22 you who are up for --

23 MS. GEORGE: Reappointment.

24 CHAIRMAN KIBBEY: Reappointment, thank you, if  
25 you would identify whose who are and identify your

1 vote.

2 MR. HAVERT: Bill Havert, yes.

3 MR. FREET: Bary Freet, yes.

4 MR. PARKINS: Rob Parkins, yes.

5 CHAIRMAN KIBBEY: Thank you very much. Yes,

6 Al.

7 MR. MUTH: Just a comment on the February

8 presentation. I think it would be appropriate to

9 request someone other than Eddie. Eddie is the

10 department's representative, he's a little man on

11 the totem pole and he doesn't have any

12 decision-making authority in this matter, get

13 somebody here that can speak authoritatively for the

14 department and on the process. Get you off the

15 hook, Eddie?

16 MR. KONNO: Yeah.

17 CHAIRMAN KIBBEY: I've just been reminded, Bob,

18 your vote, please.

19 MR. LYMAN: Yes.

20 CHAIRMAN KIBBEY: Your vote was in favor.

21 Thank you, Danella.

22 MR. MORGAN: Quick comment. The members of

23 this -- representatives of the cities and other

24 entities, don't feel restrained by writing to people

25 on your own behalf.

1 CHAIRMAN KIBBEY: That's fine. And we are at  
2 the time for a break and I would remind you that  
3 lunch payment for those of you who have ordered  
4 lunch will be made to Sheila, and we will go on a  
5 break for 15 minutes and come back at 11:00.

6 (Recess taken.)

7 CHAIRMAN KIBBEY: Ladies and Gentlemen. Can  
8 we return to our seats, please. Thank you very  
9 much. We're back on the record. Eddie, where are  
10 you at? You've asked for a presentation from Fish &  
11 Game on the area within the Monument that is  
12 restricted to shooting and that which is not. Eddie  
13 is prepared to --

14 MR. KONNO: I also said --

15 CHAIRMAN KIBBEY: Whoever is making the  
16 presentation, stand over here so that she won't have  
17 any trouble hearing.

18 MR. KONNO: I asked Kevin Brennan to come to  
19 talk about any other issues and to answer questions  
20 about what areas are open to hunting, what areas are  
21 closed, what type of hunting is available. Because  
22 he's more familiar with it than I am.

23 CHAIRMAN KIBBEY: Very good.

24 MR. BRENNAN: Kevin Brennan, California  
25 Department of Fish & Game.

1 CHAIRMAN KIBBEY: Spell your last name please,  
2 Kevin.

3 MR. BRENNAN: B-r-e-n-n-a-n. Is there another  
4 ease!? I don't know how many of you in the room  
5 hunt or fish so I'll just assume like I'm talking to  
6 you all for the first time. I probably am. But  
7 within the Monument, some of the state's more  
8 popular game species are hunted. Those are mule  
9 deer, we have three species of quail, there is the  
10 mountain quail, the California or valley quail, and  
11 the gambles, or also sometimes called the desert  
12 quail. There is also cottontail rabbits, band tail  
13 pigeons, but it's predominately the quail and the  
14 mule deer hunting that people come to the Monument  
15 to hunt.

16 These species are distributed in different  
17 habitat sites. Connell was kind enough to bring  
18 this for me, but in your mountainous areas where you  
19 have your mixed conifer habitat types which there is  
20 a number of different ones here represented by these  
21 purple ones, it's a whole mosaic through here,  
22 that's predominately deer habitat as is all of the  
23 chapperel types, which is this light blue and this  
24 green area. But when you come out of the desert  
25 slopes, when you get to the chapperel echo tone,

1 that's pretty much where the deer habitat begins so  
2 we don't get deer down in the lower slopes.  
3 Historically you get them down on some of the river  
4 channels here, but that's underneath all the desert  
5 cities now. So any deer that we had in the  
6 Coachella Valley are long since gone.

7 So predominantly most of the deer hunting that  
8 occurs is on the national forest, along the crest of  
9 the San Jacinto Mountains here. The Santa Rosa  
10 Mountain is another popular area, as is the slopes  
11 of Palm Canyon in here.

12 The quail hunting occurs for the desert quail  
13 down here in the lower southeast portion of the  
14 monument, particularly along where all of the  
15 orchards and vineyards are located. There is a lot  
16 of hunting for gambles quail, and then some up here  
17 by Windy Point. You have to go to the higher  
18 elevations where you run into the more scrubby  
19 habitat. That's where most of the valley quail  
20 hunting occurs, or the California quail. And then  
21 mostly in this habitat site, this green one here and  
22 this light blue, is where you find the mountain  
23 quail. Most of that is on Forrest Service land. I  
24 don't think there is any on BLM land that I am aware  
25 of. There might be some. I really don't think

1       there is.

2           So those are the predominant areas that are

3       hunted. Now, within the Monument there is two game

4       refuges; 4G, which is up around the state park, and

5       then 4D, which is basically the Santa Rosa

6       Mountains. For that I'm going to switch over to

7       the – everybody is familiar with this map. The

8       Santa Rosa Mountains north of 74 here and then

9       through La Quinta, Indian Wells. And let me see

10      here, right by the cove it goes one section over and

11      then it's basically this line right here that goes

12      down. All of this area over here is within the game

13      refuge, and not only is it closed to hunting, it's

14      closed to the discharge of firearms. Can't even

15      possess them in here unless it's on private

16      property. As a matter of fact, actually parts of

17      some of the city here are within the game refuge and

18      has a specific exemption in there for those areas.

19           But within this areas there is no discharge of

20      firearms or hunting. Hunting occurs out here in the

21      east, southeast slope that I mentioned earlier and

22      then along the ridge. Now --

23           CHAIRMAN KIBBEY: We've had comments from the

24      Pinyon communities within that area. Are they

25      within or without that refuge?

1           MR. BRENNAN: Let me find Pinyon. I don't know  
2 here. Pretty much if they are on the east side of  
3 Palm Canyon, they are in. If they are on the west  
4 side, they are out. Just kind of -- there is a long  
5 detailed legal description in the Fish & Game code,  
6 and I've got a map that shows it.

7           MS. DUNNING: The dotted line.

8           MR. BRENNAN: Got it. Yeah, this line coming  
9 right down here is the boundary. It's very  
10 complicated. It's one of the more complicated  
11 boundaries. It doesn't follow any section lines or  
12 numbered creeks or contours, so actually the whole  
13 community of Pinyon looks like it's in. If you were  
14 over in these parcels right here, you're out.

15          CHAIRMAN KIBBEY: Thank you.

16          MR. BRENNAN: The other thing I was going to  
17 say was the seasons -- Eddie said people -- there is  
18 some people that weren't aware of what time of year  
19 that the seasons occurred. They change every year.  
20 But there are some general rules of thumb. The deer  
21 hunting season is primarily the month of October.  
22 It might change a day or two. For instance, this  
23 year it also included the first week of November.  
24 But primarily it's the month of October.

25          Dove season, that's another species I forgot to

1 mention is morning Dove. Most of the hunting occurs  
2 in desert washes all through the Coachella Valley  
3 here. Also, here again, in those same areas that I  
4 described where the desert quail or gambles quail  
5 hunting occurs. And it's a split season. The first  
6 part of the season is September 1st through 15th,  
7 and then the second part is a 45-day season, and it  
8 begins the second Saturday in November. So for this  
9 year it's November 9th to December 23rd, so it's on  
10 right now.

11 Quail season is the third Saturday in October,  
12 that was the 19th this year. And it extends through  
13 the last Sunday in January, which this year is the  
14 26th. So that quail hunting is occurring right now.

15 Then there is bandtail pigeon which is a  
16 one-week season, and that's December 21st through  
17 the 29th. But bandtails are primarily distributed  
18 on the west side of the crest up here. They are in  
19 the mixed conifer and transition habitat type so you  
20 really don't – don't get too many of them on the  
21 desert side. However, there are a few areas within  
22 the Monument where they do occur.

23 And I don't know what else to tell you about  
24 it. I've got copies of all of the regulations here  
25 if anybody wants them, but we have regulations for

1 mammals and fur bears, migratory birds, and public  
2 hunting areas, water fowl, and the department sets  
3 the season for the species annually. The  
4 regulations come through the Fish & Game commission,  
5 and that's once every two years. We go through an  
6 extensive environmental review process to what are  
7 known as environmental documents. I won't get into  
8 the difference between an EIR and an ED, but there  
9 is about a two-page explanation in them. But we do  
10 them for each species that's hunted in the state,  
11 this is for Dove, bandtail pigeons, American crows,  
12 antelope, quail. Don't have my deer one. Everyone  
13 is always borrowing that. But we do these  
14 environmental documents every year. It's not like a  
15 10-year program.

16 The Fish & Wildlife service who manages  
17 migratory birds does an EIS, but they do that once  
18 every 10 years. And there is biological opinions in  
19 support of hunting for all of these documents.  
20 That, we have to do annually. That's also something  
21 that's not done programmatically. I guess that  
22 would be about it. I'll open it up to questions  
23 now.

24 CHAIRMAN KIBBEY: Questions?

25 MR. MORGAN: Kevin, are you still seeing

1 reductions in mule deer numbers up in the San  
2 Jacinto or are they stabilizing now?

3 MR. BRENNAN: Actually, since I started, we've  
4 actually been seeing incremental increases, but very  
5 slight. And I'm sure the drought here is going to  
6 knock it back. We've also changed the way we do the  
7 surveys for deer so it will be a few years before we  
8 can compare what's going on now with what we did in  
9 years past, because the methodology changed  
10 substantially.

11 CHAIRMAN KIBBEY: Any other questions? Frank.

12 MR. BOGERT: How many hunters do you have that  
13 come? Do you have a record of how many hunters?

14 MR. BRENNAN: Well, for the deer hunters --

15 MR. BOGERT: I mean deer hunters.

16 MR. BRENNAN: There is a tag quota. We only  
17 issue 1,500 tags, and we usually get anywhere from  
18 12 to 1,500 deer hunters a season. Now, quail and  
19 Dove hunters, that's a lot more. I don't have any  
20 exact numbers for this area, but to give you an  
21 example the Mojave preserve -- actually, hunting is  
22 the single greatest use that occurs on the reserve  
23 out there. And I'm sure if we start cranking  
24 numbers out here, it's probably going to surprise a  
25 lot of people. The thing is, hunters usually don't

1 like to tell people the ir spots because then you get  
2 other hunters there and it's competition for the  
3 resource. But we do get a lot of quail hunters. A  
4 lot of people travel long distances to hunt here in  
5 the mountains. We get a lot of people from LA that  
6 will drive out. Same with the Cleveland National  
7 Forest, they experience similar pressure.

8 MS. WATLING: How many deer are there in  
9 comparison to the 1,500 tags? Do you have a  
10 ballpark number?

11 MR. BRENNAN: It changes yearly, but for D19 --  
12 and it's a little bit problematic because the zone,  
13 the whole herd is managed, and it's even managed in  
14 the areas that it's not hunted, including some areas  
15 at the park down here. So I really couldn't give  
16 you an accurate number because there is big segments  
17 of the herd that aren't hunted that we get some of  
18 our information from.

19 But let's put it this way, those 1,500 tags  
20 that were issued, there is enough deer out there for  
21 everybody to fill their tag. They usually don't,  
22 we're usually looking at somewhere between 10 to 20  
23 percent success rate.

24 CHAIRMAN KIBBEY: Other questions? Our prime  
25 concern was where is -- where are firearms allowed,

1 have we that answered? And any limitations of use  
2 of firearms within the Monument, do we have that  
3 answered? Thank you, Kevin.

4 Okay. Now we get around to the facilitator.  
5 All yours.

6 MR. McINERNEY: Okay. Austin McInerney,  
7 M-c-I-n-e-r-n-y. I'm just going to bring this easel  
8 back to use. While I'm putting this back together,  
9 I want to be sure that everyone got the material  
10 that we sent out on Thursday into the day, and I  
11 apologize, there was a numbering problem so I had to  
12 resend it pretty quickly thereafter the first  
13 transmittal. Hopefully folks have got that printed  
14 out. If you don't have it, we have extra copies.  
15 Does anyone need a packet to work through? Okay,  
16 Connell, would you help Ruth.

17 CHAIRMAN KIBBEY: You should have it in the  
18 packet. You should also have before you a  
19 modification issue number 1. The bill is handed  
20 out. So we will address the modification which you  
21 received, single page was laid out upon your  
22 position during the break.

23 MR. McINERNEY: So by way of introduction, let  
24 me tell you sort of what we're doing and how we can  
25 do that. Basically, as you know, at the last

1 meeting which was two weeks ago, we took the 20 or  
2 so issue statements and spent a considerable amount  
3 of time in that meeting discussing those statements  
4 and consolidating them down into 11 statements, sort  
5 of the broad statement topics. The document that  
6 you got reflects those 11 statements, and the staff  
7 have gone through all 20 statements and basically  
8 pulled the appropriate advice that you provided and  
9 put them and sorted them in their corresponding  
10 topic area. We have also done some slight editing  
11 to put it in sort of a unified language as your  
12 recommendations to Monument staff, and in some cases  
13 we've added some time lines which might be relevant  
14 for staff's consideration.

15 So the overall goal for today is to get through  
16 this document. We have to get through all of the  
17 advice so that we can turn around and provide it to  
18 the Monument staff in the early part of this week,  
19 and they can get to work so that they can come back  
20 in February with a draft document. I'm hoping in  
21 the directions that I sent out in the E-mail, that  
22 folks have read through this and have put a little  
23 star, or I'm sorry a plus -- I had a little cheat  
24 sheet here to remind folks, a sort of star if you  
25 accept the change or the recommended advice or the

1 language as it is, and you circle the items that you  
2 want to discuss.

3 So with that sort of process in place, I think  
4 it will be a help to us to move through, and what  
5 we're going to do is, since all the advice that is  
6 in this document has been generated by the MAC to  
7 date, we don't want to exclude anything, these are  
8 your recommendations, but we want to identify the  
9 items that the full committee supported and we want  
10 to identify the items that there wasn't necessarily  
11 full agreement on but individuals still felt that  
12 was important. And I can't say which ones of these  
13 might have been some dissention on, but hopefully  
14 through the discussion today we will identify those.

15 And if you did circle one of these topics, if  
16 you can think of a way to change it or to modify it,  
17 hopefully you can present that and we'll have some  
18 limited discussion and see if we can reach an  
19 agreement on the revisions. And if not, that  
20 recommendation will be one of those that is, for  
21 lack of a better word, sort of a minority opinion.

22 What we've done now for walking through these  
23 topics is reoriented them. Mr. Havert here asked  
24 that we look at acquisition and trail access first  
25 because of a time constraint and he needed to leave

1 at the lunch break. Apparently quite a few folks  
2 here also need to leave because of an event going on  
3 in Palm Springs, so I'm hoping that we can move  
4 through this at a rather quick pace and maybe wrap  
5 the meeting up a little bit early today, but that's  
6 really up to you and what kind of discussions you  
7 want to have.

8 So why don't we start with the land  
9 acquisition. But before we do that, is there any  
10 questions on how we sort of got to this document and  
11 what I'm proposing to do to walk us through? Yes.

12 MS. HENDERSON: Just because I get hung up on  
13 an issue sometimes, this piece of paper that we have  
14 before us says it's page 2 of 16. I'm still trying  
15 to figure out where it goes.

16 MR. McINERNEY: It replaces the first issue  
17 topic acquisition. Just totally forget about what's  
18 in the footer and the page number. That handout  
19 replaces in entirety issue statement number 1, Land  
20 Acquisition, that's on the bigger document.

21 MS. HENDERSON: It's numbered page 1, it  
22 replaces that.

23 MR. McINERNEY: That's correct. And maybe with  
24 that, Bill, did you want to introduce or why did you  
25 make changes, or what is --

1           MR. HAVERT: Sure. That the version of this  
2           that you originally E-mailed essentially came out of  
3           the acquisition working with the core, and just as I  
4           looked it over, it just seemed to me that it might  
5           actually convey the information better if it were  
6           preceded by a little background to kind of set the  
7           context.

8           MS. DUNNING: Are there any extra?

9           MR. HAVERT: There are still a few here. So I  
10          reordered it in large measure to put a little  
11          comprehensive background at the beginning to set the  
12          stage for the criteria, and I think I may have  
13          actually played with the criteria a little bit as  
14          well, and I'm assuming that staff will continue to  
15          do that to make it fit into the document  
16          appropriately when the time comes.

17          MR. McINERNEY: So the revised version has four  
18          sort of specific recommended items with the  
19          background text, and then under 1.4 there is some  
20          represented criteria basically to be used in  
21          prioritizing acquisition. So what I hope to do  
22          is -- we'll just discuss each one of these points,  
23          and I'm going to record which of the recommendations  
24          there is a unanimous support for, and which of those  
25          there was some dissent on.

1           And then in terms of sort of voting, what I  
2           propose to do is that we would just walk through  
3           these with really a show of hands for your support  
4           and discussion, and we will vote as a formal  
5           committee on the package of recommendations at the  
6           end of our discussions, as opposed to doing sort of  
7           a formal voting on each one of these items.

8           There is, on my count, about 110 specific  
9           recommendations in total. So quite a few to walk  
10          through. Any thoughts on the first item 1.1? I  
11          know that you were just handed this one so it's  
12          slightly different, but actually follows the gist of  
13          what was sent earlier. So take a minute to be sure  
14          you read through these.

15          (Committee reads document.)

16          MR. McINERNY: When I see people starting to  
17          look up, that will be a clue that you've read  
18          through them. Yes, Terry.

19          MS. HENDERSON: I'm just referencing the new  
20          sheet that we received today, and I appreciate what  
21          I'm reading here in the background, it certainly  
22          sounds as though a lot of this came about because of  
23          discussion we just had earlier. I'm wondering,  
24          though, if the procedure whereby this particular  
25          background statement would be established for issue

1 statement 1, are we going to do a background for  
2 each of the issue statements?

3 MR. McINERNY: I don't believe that was the  
4 desire. This work came from a specific working  
5 group that met and prepared information. And the  
6 other working groups didn't provide sort of  
7 background information, so it's really your sort of  
8 decision if you think it's important to provide into  
9 the report or not. As you -- obviously the piece I  
10 E-mailed out which had excluded the sort of  
11 background language and left just the gist of the  
12 recommendations, but the working group members  
13 proposed to include it. So that's an item I believe  
14 you should weigh in on as a committee and decide if  
15 it's important to sort of set the stage for the  
16 objectives that you're proposing. And if so, it's  
17 all right, but it's not necessary to include it on  
18 all the other topic areas. Mr. Kibbey.

19 CHAIRMAN KIBBEY: I would suggest we remain  
20 with the format as carried out in the rest of it.

21 That I think we understand once these  
22 recommendations come, and if you feel the  
23 recommendations speak to the need, and I think that  
24 would be sufficient. I'd hate to break the way all  
25 the rest of it looks.

1 MR. McINERNEY: Yes, Barbara.

2 MS. GONZALES-LYONS: There is only one thing.

3 In 1.2 --

4 MR. McINERNEY: Before we jump into 1.2, let's  
5 sort of resolve this background information and we  
6 will go sequentially. Is there any other thoughts  
7 regarding whether or not to include the background?

8 MR. BROCKMAN: I think there may be need for  
9 background information on some of the other issue  
10 areas, but as I understand the background  
11 information just sets the stage for what follows.  
12 So I don't think the background information is  
13 something we need to work out at this level, but  
14 ultimately in the document I think it would be  
15 appropriate to have background information.

16 MS. HENDERSON: I think I would agree with  
17 that. It's almost like what is the intent here of  
18 what you're saying. The fact that this one has  
19 surfaced, the opportunity ought to be given to the  
20 other subworking groups, I believe, or maybe at that  
21 point just referred back to staff to do a little bit  
22 of background on how we got to where we got.

23 MR. McINERNEY: If I can respond on behalf of  
24 staff, time is of the extreme essence in finalizing  
25 this report. It is our goal based on the discussion

1 today to have this report completed on Monday with  
2 Ed's review and then handed over to Monument staff  
3 by Tuesday. Because they have two months in which  
4 to prepare a draft plan, so there was no additional  
5 working group meeting scheduled at this time to  
6 craft such background information. So I don't  
7 believe that it's really feasible.

8 MS. HENDERSON: Got you.

9 MR. HAVERT: Bill Havert. Just a quick  
10 comment. What is now sitting here as background was  
11 actually already in the issue statement which is at  
12 the end or like being an epilogue. I just put it in  
13 a different place and maybe pushed it out a little  
14 bit. I don't care, take it out, that's fine.  
15 Whatever you want to do with it. It is really here  
16 just to provide context to the folks reading this  
17 now, and then staff can do with it as they will  
18 later.

19 MR. McINERNEY: Yes.

20 CHAIRMAN KIBBEY: I would suggest that – I  
21 don't see any substantive changes in 1, 2, 3, 4. I  
22 think that perhaps we just go back to the original  
23 take.

24 MR. HAVERT: I think 1.2 is new. The original  
25 one, there were three, there was 1.1, 2, 3, now

1           there is 1.1, 1.2, 1.3, 1.4.

2           CHAIRMAN KIBBEY: I didn't think that it  
3           brought out anything different, but we can add that.  
4           If we go back to this page, we then retain the  
5           format. And then we can add one point which will  
6           then become 1.4, is that acceptable?

7           MR. HAVERT: Yes.

8           CHAIRMAN KIBBEY: So let's return, then, to  
9           the original page for format purposes. And now we  
10          can start with 1.1.

11          MR. McINERNY: Let me ask the question, then,  
12          to my understanding that -- correctly, that  
13          suggestion is to strike the background language from  
14          the report and to then -- but to take the actual 1.1  
15          through 1.4 from the new addition and insert that  
16          into the report?

17          CHAIRMAN KIBBEY: The only change was the 1.2,  
18          maybe just insert that and go back to the original.

19          MR. McINERNY: Let's for discussion review,  
20          we're looking at the recommendations on today's new  
21          handout and we're going to walk through.

22          CHAIRMAN KIBBEY: Going back to the old one  
23          and we're going to insert 1.2.

24          MR. McINERNY: Okay. I misunderstood.

25          CHAIRMAN KIBBEY: Going back to the old one

1 and going to insert 1.2.

2 MR. McINERNY: Very good. Sorry for that.

3 Misunderstanding. All right, then, let's start --

4 MS. GONZALES-LYONS: I thought -- why would we

5 go back to the old language when Bill has come back

6 with this new one saying -- where he's saying, you

7 know, I've cleaned up our language basically, here

8 it is my -- here is our new language on this new

9 one, and instead of working with the old one? He's

10 come back with this one page saying, here, we've

11 cleaned it up, this is what we'd rather see as 1.1,

12 1.2, 1.3, 1.4, and just strike out, if you want to,

13 then just strike out his background stuff. Instead

14 of going back to our old one where that's his old

15 language. That's not what he wanted.

16 MR. KIBBEY: That's why I inquired if there

17 were any substantive changes to the old 1.1, 1.2,

18 1.3, and he said, well, we added 1.2. So the

19 suggestion was then to --

20 MR. HA VERT: I did reword. I'd say probably

21 simpler, take the new 1.1 through 1.4 and substitute

22 those for the old 1.1, etcetera. And if everyone

23 agrees on any of those and wants to change them

24 further, you can.

25 CHAIRMAN KIBBEY: What I'm trying to do is

1 maintain format.

2 MR. MORGAN: The language in the new one is  
3 better than the old ones.

4 MR. McINERNEY: Then, let's discuss now on the  
5 new handout 1.1 and go from there. Any comments on  
6 that item? Or recommended changes? If none, let's  
7 talk about 1.2. Yes, Barbara.

8 MS. GONZALES-LYONS: The only thing I would  
9 like to see added on here, because in here it says  
10 that "acquisitions by BLM and US Forest Service and  
11 the National Monument should integrate the purposes  
12 of the National Monument legislation with the  
13 purposes of other federal laws and resulting plans,  
14 including the Coachella Valley Multiple Species  
15 Habitat Conservation Plan," I would like to insert  
16 also Agua Caliente band Indians conservation plan.  
17 That's the only thing I would like to add.

18 MR. McINERNEY: Any other recommendations on  
19 that item. Okay. If not, how about 1.3? Looks  
20 like no comments. And I apologize for sort of being  
21 expeditious on this, but we have quite a few and I  
22 want to be sure we get through them today. 1.4?  
23 Barbara.

24 MS. GONZALES-LYONS: If you wouldn't mind,  
25 after the sentence of the third line, where it says

1 "such as lambing habitat or water sources for  
2 bighorn sheep, right of way needs for trails or  
3 other access purposes," we add in implementing land  
4 exchange agreement and cultural resource values.

5 MR. McINERNEY: All right. Can you repeat that  
6 one more time. Implementing --

7 MS. GONZALES-LYONS: Implementing land exchange  
8 agreement and cultural resource values.

9 MR. McINERNEY: Jeff.

10 MR. MORGAN: Speaking of the land exchange and  
11 things like that, I would like to get a copy of the  
12 agreement that the Agua Calientes have with the BLM  
13 regarding their exchange. I don't have one in my  
14 file. If someone could provide that to me next  
15 week.

16 MS. GEORGE: If the tribe is uncomfortable,  
17 we've been using it as an example with other tribes.  
18 Are you okay with that, Barbara?

19 MS. GONZALES-LYONS: Sure. As you say, it's  
20 out there, public document.

21 MS. GEORGE: No problem.

22 MR. MORGAN: Thank you.

23 MS. GEORGE: Can I just add one thing, Austin,  
24 if anyone else is interested, let us know, we can  
25 send a sheet around and make sure you get a hard

1 copy of that agreement.

2 MR. McINERNEY: Okay. So what I've done here is  
3 recorded that there has been an agreement on these  
4 four recommendations with some clarifying language  
5 which I've documented on the report and will be  
6 incorporated, and then the decision was to remove  
7 the background text from the final report.

8 So let's move on to issue number 2. And this  
9 is going now to the original document that was  
10 E-mailed out. Ed.

11 CHAIRMAN KIBBEY: Just procedure. Are we  
12 going to walk through each one again or just --

13 MR. McINERNEY: What I would say is -- has  
14 everyone reviewed these, or do you need a minute to  
15 look through them? Why don't you take a minute to  
16 glance through them real quickly, and then what  
17 we'll do is we'll just start with the issues that  
18 you want to discuss, and by default, then, go down  
19 the list here. If we're not discussing an item,  
20 it's an agreement or it's agreeable as written.

21 So I'll just start with 2.1 now and ask if  
22 there is anyone that has questions and walk down the  
23 list. I see a lot of heads looking up so I take it  
24 people are ready to talk.

25 CHAIRMAN KIBBEY: May I add, how many have

1 gone through this previous to the meeting? I think  
2 you can move forward.

3 MR. McINERNY: Thank you. 2.1. Questions?  
4 Comments? Very good. 2.2? Let me turn this  
5 around. Does anyone have questions, and on which  
6 ones do you want to talk?

7 MR. MUTH: 2.5.

8 MR. McINERNY: Does anyone have questions on  
9 items before 2.5? No. Well, then, let's just jump  
10 right to 2.5. What's your concern?

11 MR. MUTH: I want to begin with, is Dunn Road  
12 an illegal road? There is some -- some property  
13 owners that maintain they need access over Dunn Road  
14 to get to their property. I think the mountains  
15 conservancy has some serious issues with that.  
16 Bill, do you want to comment?

17 MR. HAVER T: The conservancy's position, and I  
18 think it was shared by the county and perhaps the  
19 City of Palm Springs, is that there are certain  
20 purposes, emergency access, access to ranger  
21 stations on Palm Canyon, access to state land for  
22 monitoring land for purposes that have been served  
23 by access to the Dunn Road, and the -- I believe,  
24 and I think maybe Jim or someone from BLM can help  
25 clarify this, that during the lawsuit process I

1 think there was an understanding arrived at with the  
2 judge, I believe, that access for those purposes  
3 would be maintained and that the road would be  
4 maintained in a state suitable for that access. It  
5 did not include discussion of general public access,  
6 it was access for those defined purposes, and I  
7 don't know, Jim, if you want to --

8 MR. KENNA: Jim Kenna. Yeah, I can offer the  
9 technical side of this. While the Dunn Road was  
10 created in trespass, its current status is not  
11 illegal. It was resolved in the trespass settlement  
12 back in the 1970s. Under the lawsuit that Bill  
13 referenced, the judge did allow for land owner  
14 access and did provide a provision, or provisions in  
15 there stipulated for that. And those stipulations  
16 will pass from being, however, with the -- when the  
17 lawsuit stipulations end. We expect that to happen  
18 January 1st.

19 MR. CRITES: At the minimum I would suggest we  
20 strike the words "including the Dunn Road." And  
21 also I note that perhaps it's somewhere else in here  
22 but I can't find it, and that is that the access  
23 trails group with Jeff dissenting had a  
24 recommendation that, quote, organized tours be  
25 allowed to the maximum extent legally possible on

1 the Dunn Road, and I don't find that anywhere in the  
2 11 sets of things. And so wherever that is  
3 appropriately to be discussed needs to be back in  
4 this group of things.

5 MR. McINERNEY: Let me sort of process 2.1 to  
6 respond to your question. Of course if there is an  
7 objective that any of you want to be included, by  
8 all means raise it. And in shuffling these around  
9 it is possible that we placed one in the wrong  
10 category or edited it and lost some of the intent of  
11 the working group, so please make that  
12 recommendation and we'll include it in as a new  
13 item.

14 And secondly, for the record's sake that the  
15 item under discussion, 2.5, the statement was "All  
16 illegal roads should be closed and not maintained,  
17 including the Dunn Road." The recommendation has  
18 been made to strike "including the Dunn Road."  
19 Jeff.

20 MR. MORGAN: Yes, I have a comment on what  
21 Mr. Kenna said earlier. I read the 75 decisions of  
22 our attorney which studied it very carefully. The  
23 Dunn Road could only become a legal road if certain  
24 conditions were met. None of those conditions were  
25 ever met, and until those conditions are met, the

1       Dunn Road remains an illegal road. And we have a  
2       solicitor's opinion also to back that up.

3       So as far as for the stipulation that Jim says  
4       expires when the new Coachella Valley plan takes  
5       effect, that's true, but the access that was granted  
6       under the stipulation was extremely limited. There  
7       was no public access and it wasn't general access.

8       MR. McINERNEY: Mr. Kibbey, then, I have a  
9       suggested way to resolve this.

10       CHAIRMAN KIBBEY: Well, my question was, is  
11       there a specific definition of an illegal road? And  
12       if so, perhaps that should be referenced. Because  
13       when you make a general statement all illegal roads,  
14       it's nonsensical. And secondly, what about trails?  
15       Is there such a thing as an illegal trail? Because  
16       this section speaks to both trail and road  
17       structure. And so I – if there is indeed such a  
18       thing as an illegal trail, then we should speak to  
19       that, and I felt that we should strike "including  
20       the Dunn Road" because you shouldn't pick out any  
21       specific quote, unquote, illegal road. If it turns  
22       out that the Dunn Road is illegal, then by stating  
23       all illegal roads should be closed and not  
24       maintained, that would cover the Dunn Road and all  
25       others. So I question the need to call out any

1 specific road when you made a general statement, all  
2 illegal, that goes, if there is such a thing, as an  
3 illegal road.

4 MR. McINERNY: I have recommended revision to  
5 this statement. Let me raise this and see if it's  
6 agreeable. My suggested changes would be all  
7 illegal roads/trails as defined by BLM US Forest  
8 Service should be closed and not maintained.  
9 Period. Is that an acceptable revision?

10 MR. MORGAN: Depends on how the BLM and the  
11 Forest Service are going to define the roads. There  
12 are several guidelines that they have to follow to  
13 go through. There is a hand book about that thick.

14 MR. McINERNY: Understand that the  
15 recommendations the map provides aren't in any way  
16 changing the laws that the agencies comply with, and  
17 they still will have to analyze issues in-depth in  
18 the draft document that you all will see hopefully  
19 in February. So with that statement, and of course  
20 if you want to then add the specific dissenting  
21 recommendation, which might include a specific road  
22 or trail, that's okay. But for sake of the entire  
23 committee and what this group wants to agree to, is  
24 the suggestion I made agreeable?

25 CHAIRMAN KIBBEY: Suggest a show of hands?

1 MR. McINERNEY: Can I see a show of hands as  
2 support for the language as I read it. I can repeat  
3 it if necessary. Okay. With edits, I'm noting  
4 here. Now I want to make sure we touch on 2.6 and  
5 2.7.

6 CHAIRMAN KIBBEY: I saw Jeff behind you, he  
7 may want to bring forth a --

8 MR. McINERNEY: Thank you. I was going to make  
9 the point, talk about the items that are here, and  
10 then are there any new recommendations that like MR.  
11 CRITES had one and possibly Jeff has one also to add  
12 in.

13 CHAIRMAN KIBBEY: I want to speak to this one,  
14 if there is a dissenting it should be noted as such.

15 MR. McINERNEY: Agreed. Jeff.

16 MR. MORGAN: I prefer the original language.

17 MR. McINERNEY: Okay. Then we will note what  
18 I'm going to call 2.8 which would be the language as  
19 it was shown originally.

20 MS. HENDERSON: So you're going to leave both  
21 of them in there. The language -- the new language  
22 and the original.

23 MR. McINERNEY: Yes, the new language will be  
24 shown as supported by the entire committee, the  
25 original language would be shown as a dissenting

1 opinion.

2 MS. HENDERSON: Okay, then it will so state.

3 MR. McINERNY: Exactly. Let me clarify. Under  
4 each one of these issue statements, I was proposing  
5 to include language that would basically state --  
6 and I'll read from something I drafted. That  
7 specific advice is sorted into one of two  
8 categories. One, recommendations of committee  
9 members unanimously support it, and two,  
10 recommendations for which consensus was not reached.  
11 While the committee strive to reach consensus on all  
12 advice, members felt that no one individual  
13 suggestion should be excluded from the report.  
14 Comments on the remaining items here? Yes.

15 MR. CRITES: 2.7, you've got -- 2.7 is a  
16 remarkably vague and broad statement. And there may  
17 very well be trails that have fallen into disuse due  
18 to access problems that may ought not be used and  
19 ought not be restored, and maybe there are some that  
20 ought to be. And at least my suggestion would be  
21 that they should be considered for restoration and  
22 maintenance, rather than here we're making a  
23 decision as to what ought to be done.

24 MR. McINERNY: So the recommendation is to  
25 change the language to state, older legal trails

1 that have fallen into disuse due to access problems  
2 should be considered for restoration and maintenance  
3 back to original intended use? Barbara.

4 MS. GONZALES-LYONS: On that one I still have a  
5 concern because the cultural committee was talking  
6 about some of these trails, and some may have  
7 cultural areas that they do not want it to be  
8 restored. Because it may be hampering a cultural  
9 area. So that is something I want to put in as  
10 consideration to that. When you look at a trail,  
11 you have to evaluate it first to see if there is a  
12 cultural significance or sensitive area before you  
13 even think about using it again.

14 MR. McINERNY: Would language that's added to  
15 this recommendation that says something to the  
16 effect that consideration should include possible  
17 affects on cultural --

18 MR. CRITES: Biological, scenic, I think it's  
19 well understood.

20 MR. McINERNY: I think the consideration was to  
21 include just these points.

22 MS. HENDERSON: Consideration, evaluation.

23 MR. McINERNY: Is that acceptable, Barbara?

24 MS. GONZALES-LYONS: Yes.

25 MR. MORGAN: When this originally came up,

1 there were specific trails that were actually named  
2 and they have just been taken out, obviously, for  
3 brevity and come back to the one sentence. But they  
4 were specified in the original suggestion a long  
5 time ago.

6 MR. McINERNEY: And this gets back to the  
7 comment made earlier that individuals thought that  
8 identifying specific trails might not be a good  
9 idea. Yes.

10 MR. MUTH: Al Muth. If you're going to  
11 explicitly say older legal trails, do we have a  
12 definition of a legal trail? What is that? Is that  
13 one that Agua Caliente paved or made 200 years ago,  
14 going from Deep Canyon to La Quinta, or what is a  
15 legal trail?

16 MR. McINERNEY: Is there someone on the staff  
17 that might want to respond to how a trail within the  
18 BLM Forest Service are defined as legal or not?

19 MS. GEORGE: I feel comfortable. I think it  
20 would be -- is that okay, Jim? I would think it  
21 would be the trails that fall within the trails  
22 management plan.

23 MR. KENNA: I think as far as public lands are  
24 concerned, legal trails will be identified in the  
25 trails management plan, and that's probably the best

1 way to describe it.

2 MR. MUTH: So then you should strike "older,"  
3 shouldn't you? Because we don't have the management  
4 plan yet.

5 MS. GEORGE: Trails that will be --

6 MR. CRITES: How about just trails that have  
7 fallen into disuse, period, we have to get out of  
8 old and illegal.

9 MR. McINERNEY: Did everyone hear that? The  
10 suggestion is to strike older legal trails and  
11 modify it to say trails that have fallen into  
12 disuse.

13 MR. WATTS: But maybe it would be a better  
14 management tool not to restore it to an active trail  
15 and restore it to natural condition.

16 MR. CRITES: That's why it's considered, being  
17 evaluated.

18 MS. ROCHE: Or do you want to put due to access  
19 problems there may be other reasons it's falling  
20 into disuse, maybe you should take out that clause.

21 MR. MORGAN: The reason the trails has fallen  
22 into disuse is generally because you can't get to  
23 them, usually because private property ownership  
24 between the public lands and the next part of the  
25 public lands. Often these strips are very, very

1 narrow. As these things change and access becomes  
2 available, people are going to want to go back to  
3 them, like Oak Canyon trails and things like that.  
4 And they have been legally used trails since the  
5 '30s on Forest Service maps since a long time ago.

6 MR. McINERNY: Do I see any other dissent or  
7 concern on this? The way it's currently proposed to  
8 be included is that trails that have fallen into  
9 disuse due to access problems should be considered  
10 and evaluated for restoration and maintenance back  
11 to originally intended use.

12 MS. HENDERSON: You're dropping the word  
13 criteria. I do not like it and I think it should be  
14 dropped.

15 MR. McINERNY: Yeah, I think that's  
16 superfluous. MR. CRITES, you had a suggestion.

17 MR. CRITES: I'll wait until we get to  
18 statement 4. It's better there.

19 MS. HENDERSON: It's there or is it better --

20 MR. CRITES: No, it fits better there.

21 MS. HENDERSON: I don't want to lose it.

22 MR. McINERNY: For the record here for issue  
23 number 2, we've agreed to 2.1 through 2.7, editing  
24 2.5 and 2.7, and then we're adding a dissenting 2.8  
25 which is the language from the original 2.5, all the

1 illegal roads should be closed and not maintained  
2 including Dunn Road.

3 Okay. Turn the page, getting into some of the  
4 more beefier recommendations. Issue statement  
5 number 3 concerning interpretation, "How do we  
6 provide education, interpretation, and information  
7 to allow for the use and enjoyment of the Monument."  
8 There are 14 recommended statements here, so  
9 starting at the top, why don't we hear what's the  
10 first item number that someone would like to  
11 discuss? Mr. Muth.

12 MR. MUTH: 3.5.

13 MR. McINERNY: 3.5, Okay. Mr. Kibbey, did  
14 you --

15 CHAIRMAN KIBBEY: 3.5 you just have a typo.

16 MR. McINERNY: Why don't you clarify that for  
17 us real quickly.

18 CHAIRMAN KIBBEY: Maybe not should also be  
19 used, but could. Should also be used rather than  
20 could, the could doesn't make any sense. That's  
21 just the third line down. The video could also be  
22 used at the visitor center to show, based on the  
23 previous statement it would make sense.

24 MR. McINERNY: Just a slight editing to that.  
25 But does anyone have an item before 3.5 that they

1 want to discuss? If not, okay. Looks like no, so  
2 we're going to check off 3.1, come down to 5 and let  
3 me read that. Monument staff should prepare an  
4 appealing and exciting video to highlight the  
5 Monument and its educational resources. This video  
6 should be widely distributed to local schools,  
7 resorts, etcetera. The video should also be used at  
8 the visitor center to show physically challenged  
9 visitors areas within the monument that they cannot  
10 access. Your comment on this? Mr. Muth.

11 MR. MUTH: My only comment was that is this  
12 redundant with material that will be available on an  
13 internet site? With streaming video, you can have  
14 it there and not have to distribute it, go through  
15 all that expense and such. Just a thought, if  
16 anybody else has a comment.

17 CHAIRMAN KIBBEY: What we're basically using  
18 it for are areas that could not readily be accessed  
19 as the net, you're talking about the -- distributed  
20 to schools and resorts and so on, but most important  
21 thing I think is it's shown in the visitor centers  
22 to those who can't get out, and I think this  
23 addresses ADA concerns and properly so. So I hear  
24 what you're saying, but I don't think that would  
25 address what we're trying to address here.

1 MR. BROCKMAN: I'm wondering if it wouldn't be  
2 better to put this in a positive way rather than a  
3 negative so this would read the video should be --  
4 also be used at the visitor center to show  
5 physically challenged visitors areas within the  
6 Monument that they can easily access. Rather than  
7 to put it in the prohibitive.

8 MS. HENDERSON: But they can't easily access.

9 MR. BROCKMAN: Welcome any comments relative to  
10 ADA on that.

11 MR. HAVERT: For both, but I think the intent  
12 was to show them the areas that they can't get to.  
13 I think conversely to that, it's fine to show them  
14 there areas that are set up to provide you and --

15 MR. BROCKMAN: I think that's important in the  
16 spirit of ADA to try to demonstrate that there are  
17 easily accessible areas. If we need to say the rest  
18 is not accessible, okay, but at least to show some  
19 positive thinking in this way.

20 CHAIRMAN KIBBEY: If I may, I think probably  
21 we can address both those things by just putting a  
22 period after Monument. Not worrying about whether  
23 they can or cannot access it.

24 MR. McINERNEY: Good suggestion. The suggestion  
25 is to allow the last sentence to say the video

1 should also be used at the visitor center to show  
2 physically challenged visitors areas within the  
3 Monument. Period.

4 MR. BOGERT: Would the video be for sale at  
5 the Monument?

6 MR. McINERNY: Could be. Is that your  
7 recommendation? Maybe for rent at Block Busters and  
8 so forth. But that could be included, sure. Yes,  
9 MR. CRITES, was there a hand over here first?

10 MR. BROCKMAN: I'm still thinking.

11 MR. CRITES: Just on this one, and on 3.7 and  
12 then sort of scattered throughout the entire rest of  
13 the document, there are a whole bunch of things that  
14 the Monument staff has to do in a year and six  
15 months, every quarter and so on and so forth, I

16 think that means Connell and Connell and Connell.  
17 My point is I think a lot of this stuff we ought to  
18 change to say, should do or do cooperatively with  
19 other agencies, because there is a lot of this  
20 stuff. They don't need to do all this stuff all  
21 themselves. And I think this is one they can share  
22 a video with, whether it's Forest Service or whether  
23 it's with the conservancy or the friends or the  
24 tribe or whoever, and when we do the quarterly  
25 publication that can be shared. I make that comment

1 across a bunch of these things. I think we have a  
2 lot of stuff that we are requiring with no staff.

3 MR. McINERNY: I have a response but Mr. Kibbey  
4 can go first.

5 CHAIRMAN KIBBEY: My response is that I think  
6 you're getting down into action. We're just saying  
7 that they should prepare, they can get 25 partners,  
8 they can get consultants, they can get whatever.  
9 You're getting into action.

10 MR. CRITES: I wouldn't want action to occur.

11 MR. McINERNY: My response, which goes along  
12 the lines of Mr. Kibbey, is that these  
13 recommendations will be responded to as to how the  
14 Monument staff -- and I use that term to include  
15 both BLM, Forest Service, and partners -- will  
16 respond. You will see that in the draft documents.  
17 So, yeah. Mr. Brockman.

18 MR. BROCKMAN: I think I still have a problem  
19 with ending the second sentence with Monument  
20 because I think we lose what was intended there.  
21 Maybe it could say the video should be used at the  
22 visitor center to show physically challenged  
23 visitors accessible areas within the Monument.

24 MR. McINERNY: However, that sort of goes  
25 against the idea that one of the intents of the

1 video was to show them areas that they can't get to.

2 MR. BROCKMAN: Which is also lost if you don't  
3 add something at the end of the sentence.

4 MS. WATLING: Disabilities differ from one to  
5 the other, so you have to pick out a lot of places  
6 and define the access.

7 MR. McINERNEY: Would it be -- Mr. Kibbey, do  
8 you have a comment?

9 CHAIRMAN KIBBEY: I was just going to say that  
10 perhaps we're reading too much into this. The way I  
11 read it, we are going to prepare a video that will  
12 basically show the whole Monument, as much as we  
13 can, and then it could, should, should be used at  
14 the visitors center as a tool to improve ADA, i.e.,  
15 show them places where they can and they can't  
16 access. But to specifically say one or the other --

17 MR. BROCKMAN: I would agree with that.

18 MR. McINERNEY: Very good. So maybe we'll just  
19 add the word that, you know, to show physically  
20 challenged visitors areas -- visitors areas, or all  
21 areas within the Monument. And, you know, it's up  
22 to the staff now to figure out how that video would  
23 actually be produced. Connell.

24 MS. DUNNING: When you see Monument staff in  
25 there, that is a placeholder for all of the Forest

1 Service, biologists, geologists, archeologists, and  
2 all of the BLM, and all of the people at our visitor  
3 center, interpretive specialists, and so just so you  
4 know that's a placeholder for all of the people that  
5 are going to be coming from those agencies and  
6 cooperating. And so anyway, I just wanted to --  
7 when you say that, it is a large --

8 CHAIRMAN KIBBEY: We want you to do it all.

9 MR. McINERNEY: Let me, point of process here,  
10 couple minutes before noon I think we're taking a  
11 lunch break at 12:15. Very good. So let's keep  
12 going here and hopefully get through this topic  
13 before we break for lunch. Starting with 3.6, then,  
14 and moving down. Yes, Mr. Muth.

15 MR. MUTH: Maybe I'm mistaken, but what  
16 languages would be included in multilingual maps?  
17 Is a map multilingual? And information at said  
18 locations. But is there a generally agreed upon  
19 sweep of languages that one uses? Would it be  
20 English, Spanish, and then what? Probably 100, 150  
21 languages spoken in Orange County and LA alone.

22 MR. CRITES: All of them.

23 MR. McINERNEY: Recommendations for what  
24 languages material should be provided in.

25 CHAIRMAN KIBBEY: I believe the State of

1 California does have a list of languages that they  
2 require for voting purposes which could be a  
3 thing -- but I was suggesting in another one, that  
4 the wording be commonly spoken languages, and then  
5 do Japanese, Chinese, French, Spanish, those things.  
6 Rather than tie them down, again, tying the staff  
7 down, we're telling them, get them bilingual if you  
8 can.

9 MS. HENDERSON: The only comment I would make,  
10 because I agree there's probably a list somewhere,  
11 but to reference the state list. When this is a  
12 federal legislation, we might have to run through a  
13 federal list and --

14 CHAIRMAN KIBBEY: I wasn't suggesting we  
15 reference any list, I was just giving an explanation  
16 to our list there, and this would be a thing where  
17 staff would --

18 MS. HENDERSON: Just go to the list.

19 MR. McINERNEY: Danella.

20 MS. GEORGE: Danella George. With that one, I  
21 think again, partnerships, California tourism  
22 council has a list, they stay on top of who is  
23 coming and who is spending, because we want to have  
24 it in Italian who is currently the top spenders.

25 MR. CRITES: One that fits with that is 3.9 and

1 I'll just ask we strike the word all. I think  
2 that's restrictive.

3 MR. McINERNY: Okay, before we jump down to 9,  
4 let's just finish this discussion on 7 to be sure --  
5 I'm sorry, number 6 -- that we've got some agreement  
6 on here. Is it all right to leave the multilingual  
7 in there with the understanding that Monument staff  
8 need to figure it out?

9 MR. FREET: Did you pick up the typo on the  
10 word year? It says within the first year, first --  
11 I'm sorry. Never mind. Never mind. I read it  
12 wrong.

13 MR. McINERNY: With that said, then, we  
14 understand 3.6, and before we jump down to 9, any  
15 thoughts on 7 and 8? Mr. Kibbey and then Brockman.

16 CHAIRMAN KIBBEY: On 7, "On a quarterly basis  
17 staff should prepare a publication to advise the  
18 public about recent developments within and  
19 concerning the Monument." Then you say, "This  
20 publication, along with general Monument-related  
21 information, should be widely distributed annually."

22 MR. BROCKMAN: I have a solution to that.

23 CHAIRMAN KIBBEY: There is two concerns here.  
24 First, the language, but the main concern is why are  
25 we distributing it twice?

1 MR. McINERNY: Because this was written late at  
2 night. My suggestion is to strike annually at the  
3 end and leave it.

4 MR. BROCKMAN: My suggestion would be on a  
5 quarterly basis staff should prepare and distribute  
6 a publication to advise the public about recent  
7 developments within and concerning the Monument.  
8 Period. Strike the second sentence.

9 CHAIRMAN KIBBEY: I agree.

10 MS. HENDERSON: My suggestion would be that I  
11 think we're getting a little specific in this, when  
12 we talk about having staff do something quarterly  
13 and putting it in a management plan, I'm not sure  
14 that that's realistic, because all it sets you up  
15 for is failure when you haven't done it, then you  
16 say, well, says in there you're supposed to do this  
17 quarterly. I think we're kind of getting a  
18 little -- I'm not going to read it quarterly, I  
19 don't know who else is.

20 CHAIRMAN KIBBEY: If I may respond to that, I  
21 think that's based upon, and a good basis, on the  
22 outline that they gave us that we should be setting  
23 a specific goal for -- in time, for different things  
24 that we want to accomplish, and I think that's where  
25 it comes from. We're suggesting quarterly. Maybe

1       they don't want to do it quarterly. But I think  
2       that we believe -- we believe quarterly would be a  
3       good use of this.

4           MR. McINERNEY: This specific language came from  
5       one of the groups during the exercise at the last  
6       meeting. Yes, this side of the room.

7           MR. WATTS: Having been on the group, I agree  
8       with Ed. We tried to phrase it with that in mind,  
9       but part of our intent also was not to talk just  
10      about recent developments but ongoing development.  
11      If I could offer up a suggestion in keeping what  
12      Bob's put in to make sure I don't butcher that part,  
13      but staff should prepare and distribute a  
14      publication about events occurring within and  
15      affecting the Monument, rather than recent  
16      developments. And my thinking along those lines --  
17      I think we talked about ongoing nature walks and  
18      programs and opportunities for the public that  
19      should be updated periodically.

20           MR. MORGAN: I think this -- well, this related  
21      to was can I provide a little newspaper tabloid  
22      things that everybody, you know, you go to Joshua  
23      Tree they change it every three months, that kind of  
24      thing. It would just be an updated thing, it would  
25      have base material in the background.

1 MR. McINERNY: Correct. That's exactly what I  
2 was referring to. So if I understood the edits  
3 correctly, on a quarterly basis, staff should  
4 prepare and distribute a publication to advise the  
5 public about recent events – about events occurring  
6 in and affecting the Monument. Period.

7 MS. HENDERSON: That's not really what I heard.  
8 I heard a quarterly basis thing completely  
9 eliminated periodically.

10 MR. McINERNY: Periodically over time, okay.

11 MS. HENDERSON: And I understand the method  
12 that you used, I was here and I understand it, but  
13 you've used it, you know, 8, 10 times here, and it's  
14 all -- it can all be put together in a lot of ways.  
15 It's information.

16 MR. McINERNY: Good, good suggestions. Let's  
17 move along. 3.8 and down.

18 MS. GONZALES-LYONS: Can you restate that one  
19 more time.

20 MR. McINERNY: Periodically staff should  
21 prepare and distribute a publication to advise the  
22 public about recent events occurring in and  
23 affecting the Monument. Is that acceptable?

24 Okay. Thoughts or concerns with 3.8 and moving  
25 down the list?

1 MS. HENDERSON: 3.9.

2 MR. McINERNY: No one on 3.8, okay.

3 Ms. Henderson, what is 3.9 --

4 MS. HENDERSON: I don't understand it. It  
5 say's we should prepare all of the material in a  
6 variety of languages including Spanish. Were we  
7 specifically concerned that we were going to exclude  
8 Spanish?

9 MR. McINERNY: No, obviously not.

10 CHAIRMAN KIBBEY: Strike and read back.

11 MR. McINERNY: It might be this is redundant  
12 considering what we identified in 3.6.

13 MS. HENDERSON: I think so.

14 MR. McINERNY: So if it's okay with everyone,  
15 how about we strike 3.9 in entirety. Again, let me  
16 reiterate that we took over 20 of these issue  
17 statements, and quite a few of the objectives  
18 appeared in a lot of them, so --

19 CHAIRMAN KIBBEY: You don't need to apologize.

20 MR. McINERNY: But just identify those. Thank  
21 you. Okay. Moving on. 3.10 and going down.

22 MS. GEORGE: 3.10 has been done with triple A,  
23 done last year. Just so folks know, we sent the  
24 maps to the Southern California office in Orange  
25 County, and that was coordinated with in the last

1 year. They have our maps.

2 CHAIRMAN KIBBEY: You're saying there is no  
3 need for 3.10.

4 MS. GEORGE: Who are the various map makers? I  
5 don't know.

6 MR. LYMAN: Thomas Guide.

7 MS. GEORGE: I'd just strike Automobile Club.

8 MR. McINERNEY: My suggestion would be to leave  
9 it in and to allow you to respond and say how you  
10 want.

11 MR. BROCKMAN: It's always nice to have a few  
12 statements in there that you can claim have been  
13 done. Do that in general plans all the time.

14 MR. McINERNEY: 3.11 through the end there.

15 MR. WATTS: 3.14.

16 MR. McINERNEY: Before we turn to the last item,  
17 any thoughts on 11, 12, 13? Why don't we talk about  
18 14.

19 MR. WATTS: I'm not sure of the intent here  
20 other than it looks like we're trying to use  
21 volunteers and other groups to assist us in our  
22 efforts. Right, Danella?

23 MS. GEORGE: Yes.

24 MR. WATTS: Since the topic is interpretation,  
25 I suggest that right after resource conditions, that

1 we consider inserting interpretive and education  
2 programs. To use volunteers for that, comma, and to  
3 complete on the ground development.

4 MR. McINERNEY: Resource conditions,  
5 interpretive --

6 MR. WATTS: Interpretive and education  
7 programs. I left interpretation.

8 MR. McINERNEY: Is that understood, it would  
9 read Monument staff should increase the use of  
10 citizen and organizational volunteers to provide  
11 greater monitoring of resource conditions, comma,  
12 interpretive and educational programs and to  
13 complete on-the-ground developments for resource  
14 protection, effective land management. The sentence  
15 still reads, you know, just reading through it,  
16 maybe if we just strike from there, after  
17 educational programs, Monument staff should increase  
18 the use of citizen and organizational volunteers to  
19 provide greater monitoring of resource conditions to  
20 interpretive and educational programs. I think this  
21 needs to be wordsmithed a little bit. But the  
22 intent there is to use citizens and organizational  
23 volunteers and interpretive educational outreach  
24 efforts.

25 MR. WATTS: Right.

1 MR. McINERNY: We can make that.

2 MS. HENDERSON: I have a little bit of a  
3 problem with "Monument staff should increase the  
4 use." I'm not sure, I know there is a should and  
5 shall and a legal thing there, but when you put it  
6 in here that they should increase the use of  
7 citizens, that's another criteria. They could be  
8 out there doing that on a daily basis and not get  
9 any more volunteers.

10 MR. WATTS: "Should" is not a problem.

11 CHAIRMAN KIBBEY: We're saying they should do  
12 it. We're not saying they could do it.

13 MR. CRITES: Should but not necessarily will.

14 MS. HENDERSON: Should attempt to make efforts.  
15 Leave it if you like it, I don't care.

16 MR. McINERNY: Time out here. People are  
17 jumping in. The court reporter is totally lost. So  
18 you need to one at a time identify yourself and  
19 then speak. So, Connell, your suggestion.

20 MS. DUNNING: I just had a suggestion that if  
21 you remove "increase the," you have "Monument staff  
22 should use citizens and organizational volunteers to  
23 provide greater monitoring" of and to move on.

24 MR. McINERNY: Okay. Danella.

25 MS. GEORGE: I am with Terry a little bit with

1 the shoulda. Thou shall not should thyself to death  
2 in documents. Shoulda, coulda, woulda I have always  
3 been trained to avoid, so if we could wordsmith that  
4 just a little bit further.

5 MR. McINERNY: And your suggestion then would  
6 be?

7 MS. GEORGE: Increase the use of citizen and  
8 organizational volunteers. That coulda, shoulda,  
9 woulda, though shall not shoot thyself to death.

10 MR. McINERNY: Okay. Very good. We'll make  
11 the change to increase the use of citizen and  
12 organizational volunteers in interpretive and  
13 educational programs. Period. Is that acceptable?  
14 Okay. That completes issue statement number 3.

15 My suggestion is before we jump into this whole  
16 other long list of resource protection and issue  
17 statement number 4 we break for lunch.  
18 Understanding that we want to get out of here  
19 hopefully early, would people be acceptable to  
20 taking a short break and maybe bringing lunch back  
21 and working? I just put that as an option.

22 CHAIRMAN KIBBEY: There are some of us who are  
23 going out for lunch, and I think we can aim for  
24 that, if everybody -- let's leave it at please try  
25 to get back with your food as soon as possible, and

1 when we see everybody back we will go ahead and do  
2 it. If not, we will reconvene at 1:00 with a -- the  
3 second public hearing. Just everybody work to get  
4 back early.

5 MR. McINERNEY: Maybe at a quarter to 1:00 we  
6 could resume. If you could look through these and  
7 identify specific language that you would like  
8 included in any of the issues for objective  
9 statements that you have in question, that would  
10 make it move quicker, too.

11 CHAIRMAN KIBBEY: We're adjourned for lunch.

12 (Lunch recess taken.)

13 CHAIRMAN KIBBEY: We have sufficient folks for  
14 a quorum and we will break at exactly 1:00 for  
15 public input.

16 MR. McINERNEY: It's 10 minutes before 1:00, why  
17 don't we start in on issue statement number 4, and  
18 there has been a suggestion made for a very minor  
19 change to the statement which I'll read and then we  
20 can start talking about some specific  
21 recommendations. "How can the Monument provide  
22 multiple recreation opportunities while balancing  
23 the protection and preservation of cultural  
24 resources, biological, geological, educational, and  
25 scientific value." So with that statement, there

1 are quite a few specific recommendations. 23 as  
2 listed, using the format before lunch, why don't we  
3 start at the top and go down and see which ones you  
4 would like to discuss. MR. CRITES.

5 MR. CRITES: Minor change on 4.1, the way it  
6 reads we are going to explore campgrounds. I think  
7 what we need to do is start 4.1 with opportunities  
8 for campground, da da da da. The rest of it as is.

9 MR. McINERNEY: Excellent. Yes.

10 MR. MUTH: Al Muth, 4.1, 4.5, and 4.21, is  
11 there any conflict between or among those three  
12 statements? 4.5, "Additional development of  
13 facilities should be kept to a minimum," and then  
14 we're going to explore motor home parking and  
15 recreation locations. Are we at cross purposes  
16 here?

17 CHAIRMAN KIBBEY: The third one?

18 MR. MUTH: 4.21.

19 CHAIRMAN KIBBEY: So you're saying put the  
20 three together?

21 MR. MUTH: I'm just wondering if we're  
22 advocating development of facilities. Okay.

23 Campgrounds, are they facilities?

24 CHAIRMAN KIBBEY: Yeah.

25 MR. MUTH: Then 4.5, additional development of

1 the facilities should be kept to a minimum, but  
2 we're on 4.1, exploring the possibilities of more  
3 campgrounds at upper and lower elevations, and 4.21  
4 we're advocating additional motor home parking and  
5 recreation facilities. So aren't we sort of at  
6 cross purposes in those three statements?

7 MR. MORGAN: The three statements probably  
8 reflect different views as they were placed on there  
9 and they are discussion items at this time. And if  
10 you don't like them, you can say so. And if you  
11 do --

12 MR. MUTH: Okay. I don't like them.

13 MR. CRITES: Any of them?

14 MR. McINERNEY: Can you provide specific  
15 recommendations if you want them changed or what?

16 MR. MUTH: It was the concordance of the  
17 statements that bothered me. If we're going to look  
18 at each one individually, then okay.

19 CHAIRMAN KIBBEY: I thought you were going,  
20 Allan, to combine the three because I thought the  
21 three could be combined very nicely with a little  
22 modification of additional development of facilities  
23 should be kept to a minimum, but putting in on the  
24 end and say, within the Monument. Because we're  
25 saying in 1 on the perimeter, and then on 21 we're

1 saying we want to have some of those maybe motor  
2 homes. So I was thinking the three could be put  
3 together.

4 MR. McINERNY: So suggestion to resort the list  
5 here so that 4.1, 4.5, and 4.2 1 appear in sequential  
6 order maybe with 4.5 being the last with a slight  
7 change to that says additional development of  
8 facilities within the Monument should be kept to a  
9 minimum? Therefore you're sort of capturing the  
10 recommendations that campgrounds and RV parking  
11 should be considered at certain locations, however,  
12 development should be kept to a minimum.

13 MS. HENDERSON: Terry Henderson. I have a  
14 problem when you say within the Monument because  
15 that's the only thing we're addressing here is  
16 within the Monument. I mean if you say perimeter,  
17 it's still in the Monument. If we are talking about  
18 the perimeter outside of the Monument, we don't have  
19 that.

20 MS. ROCHE: I wanted to say -- Mary Roche --  
21 within the interior of the Monument.

22 MR. McINERNY: So your suggestion is that the  
23 charge of this committee is to provide advice for  
24 activities within the Monument and so to say within  
25 the Monument is somewhat redundant and move to

1 strike that.

2 MR. MORGAN: It's general policy throughout  
3 BLM, especially when we do the management plans for  
4 all these new Monuments, is to try to put visitor  
5 centers, campgrounds, and everything outside the  
6 Monument in surrounding communities where the  
7 communities benefit the monument is less impacted.  
8 So even though we're only planning for within the  
9 Monument, I can see nothing wrong with saying the  
10 visitor center. You know, that's outside the  
11 Monument, yet we address it in our discussions all  
12 the time. I see nothing wrong with a campground  
13 outside the Monument, or a new visitor center in  
14 Palm Springs would be outside the Monument. So it  
15 is within our sphere, shall we say, to discuss these  
16 things.

17 MR. McINERNY: Okay. MR. CRITES.

18 MR. CRITES: The visitor center on 74 is in the  
19 Monument.

20 MR. MORGAN: Okay.

21 MR. CRITES: And secondly, in a lot of places  
22 there are no opportunities, especially at the low  
23 end necessarily, that aren't within the Monument.  
24 And third, there is an enormous difference between a  
25 KOA, which is, quote, outside the Monument, and a

1 BLM, etcetera, which is on the other side of it, and  
2 I think we need to provide kind of potential camping  
3 experiences that go with a Monument feel, and  
4 obviously perhaps not in the dead center of the  
5 Monument, but we certainly shouldn't try to have  
6 everything outside, especially when it's not  
7 practical to do that anyhow in a lot of places.

8 MR. McINERNEY: Coming back to the recommended  
9 advice here, is it okay, then, to differentiate  
10 between within and outside the Monument? Or stick  
11 to what Ms. Henderson suggested, which is strike  
12 that kind of differentiation?

13 MR. MORGAN: My concerns about this is someone  
14 proposing a campground in the middle of the Monument  
15 where you are going to have increased vehicles, new  
16 roads, lights, electricity, all that kind of thing,  
17 an inappropriate area. We have to decide what the  
18 appropriate areas are before we make decisions.

19 CHAIRMAN KIBBEY: Responding to Jeff. Any new  
20 buildings and campgrounds should only be considered  
21 on the Monument perimeter or in already developed  
22 areas. A new visitor center should be adjacent to  
23 the outside of the Monument boundaries. I think  
24 that responds to your concern. That addressed 4.5,  
25 which is what we're suggesting you make part of

1 this.

2 I think having said that, that "additional  
3 development of facilities should be kept to a  
4 minimum," is somewhat redundant, then, and perhaps  
5 we could strike that. And we're then talking about  
6 campgrounds on both the upper and lower level  
7 elevation need to be explored so there can be  
8 camping opportunities, access to campgrounds, and  
9 then we're speaking, going on your suggestion, we do  
10 them consecutively. We're then turning to any new  
11 buildings, campgrounds should only be considered  
12 etcetera. And then we get down to 4.21, motor home  
13 parking and recreation locations should be provided  
14 at a variety of sites within and on the perimeter,  
15 and strike within and say on the perimeter of the  
16 Monument including but not limited to Pinyon Flats  
17 site.

18 MR. MORGAN: I have a further concerns with  
19 4:21, and that is motor home parking recreation.  
20 Say development of the Pinyon site, complete with  
21 hook-ups, sewers, electricity, street lights and all  
22 that kind of thing, I don't think the people in  
23 Pinyon would particularly want that. I know the  
24 Sierra Club certainly would not support a developed  
25 recreational vehicle camp site with hook-ups at the

1 Pinyon Flats camp site.

2 CHAIRMAN KIBBEY: You can't limit it just  
3 to --

4 MS. ROCHE: Couldn't you say add possible motor  
5 home parking and recreation locations should be  
6 evaluated, not necessarily provided. Then you can  
7 talk about it and evaluate it but it doesn't  
8 necessarily mean you have to do it which this  
9 statement does say you will do it.

10 CHAIRMAN KIBBEY: Responding to Jeff's  
11 comment, I think all motor homes are self-contained.  
12 They don't need all this stuff so we can say, basic  
13 parking space, period.

14 MR. MORGAN: They have that now.

15 MS. WATLING: I would like to add something.  
16 We've had motor homes up there who completely empty  
17 their tanks and refill them with Pinyon water when  
18 there isn't enough water for the houses there. So  
19 some accommodation for water has to be included,  
20 absolutely, from the beginning of the consideration.

21 MR. McINERNEY: Let me ask a point of  
22 clarification now. Remember that the  
23 recommendations that you provide are not law, they  
24 are not written in stone, and they do not sort of  
25 eliminate the manage -- or the Monument staff from

1 conducting environmental analysis on any of these  
2 recommendations. So when you provide a  
3 recommendation as included in 4.21, that is a  
4 suggestion that will be analyzed, and where and to  
5 what extent, what kind of facilities are you  
6 providing at these locations, so I think there is a  
7 way to capture and discuss some of the potential  
8 impacts from these recommendations, and that is your  
9 environmental document on the management plan.

10 MR. WATTS: As a member and as a  
11 professional -- Gary Watts -- 4.1 says campgrounds.  
12 To me, as a manager in park and recreation, that  
13 entails everything in camping; RVs, horse camps,  
14 bicycle camps, walk-in camps, the entire spectrum.  
15 And I think staff would take that type of direction  
16 from a guideline like that to see what the demand  
17 was and respond to it as such. So my feeling would  
18 be maybe 4.21 could possibly be eliminated or maybe  
19 take some of it and add it to 4.1 if someone feels  
20 more comfortable, but I think campgrounds covers  
21 RVs.

22 MR. McINERNEY: MR. CRITES.

23 MR. CRITES: On 4.1, in disagreement with Jeff,  
24 4.1 deliberately suggests that some new campgrounds  
25 may exist within the interior. Because some of them

1 are listed as walk in and pack in. Now, I think 4.1  
2 could be modified to say others might be walk in or  
3 pack in campgrounds, with a preference for perimeter  
4 locations. But to say as 4.5 does, they will only  
5 be considered there, again, reduces the flexibility.  
6 I think especially in agreement, Jeff, that we don't  
7 want to put come concrete and street lights at the  
8 middle of the Monument, but there may be places  
9 where you do want to place a ride and equestrian  
10 facility, for example. I tend to think of Santa  
11 Rosa and other places where we may wish to do that.  
12 The freeway is miles within the boundaries of the  
13 National Monument. So a suggestion that with a  
14 preference for perimeter locations.

15 MR. MORGAN: For the most developed sites.

16 MR. CRITES: Yeah.

17 MR. MORGAN: As I say, I have no problem with  
18 people coming in the Monument. It's the development  
19 of facilities inappropriate within the heart of the  
20 Monument is where my problem is.

21 MR. McINERNEY: So a suggestion there was to  
22 augment 4.1 to read, the second sentence, some of  
23 these camping opportunities may allow road access to  
24 campgrounds, others might be walk in or pack in  
25 campgrounds with a preference for perimeter

1 locations.

2 MR. CRITES: For highly developed facilities.

3 MR. McINERNEY: Okay.

4 MR. CRITES: That sort of takes care of I

5 think --

6 MS. HENDERSON: I think so.

7 MR. McINERNEY: Going along with that, would we

8 then strike 4.5? That's the agreement there. And

9 then going to close the loop here on 4.21, what

10 needs to be done to that?

11 MR. MORGAN: There is an item in 4.5, new

12 visitor centers should be adjacent to communities,

13 that needs to be put in some where else.

14 MS. GEORGE: Danella George. Just yesterday or

15 today's newspaper, the new potential visitors'

16 center for Palm Springs, that's within the Monument

17 boundary, I believe. But I wouldn't want to limit

18 it. And these issues -- the reason why, I heard a

19 presentation at the Gateway conference, you guys,

20 with Esculenta Staircase Monument, and it's become

21 very divisive by having two visitor centers, one in

22 the Monument and one outside the Monument. So just

23 want to make sure that doesn't happen here.

24 MR. McINERNEY: Is there a recommendation for

25 how to address the visitor center? Ms. Henderson.

1 MS. HENDERSON: And that's specifically right  
2 now on 4.5, we are only addressing that portion of  
3 it. We have eliminated the rest. But we're just  
4 looking at the new visit center should be adjacent  
5 communities, and are we then going to incorporate  
6 that into one?

7 MR. McINERNEY: That's the question on the  
8 table, how do you address that concern.

9 MS. HENDERSON: Well, as far as the issue  
10 itself, we can't limit it. Because there are going  
11 to be opportunities for a visitor center to be in  
12 the Monument. I know there will be in the City of  
13 La Quinta.

14 MR. McINERNEY: Is it the will of the committee  
15 to not state where the visitor center should be?

16 MR. MORGAN: The point I'm trying to make,  
17 is -- I'm again trying to say it's better for the  
18 new visitor centers to be in the adjacent  
19 communities. You don't want a visit center stuck up  
20 in Garner Valley or where no one is going to go.  
21 Palm Springs has got an ideal location. La Quinta  
22 probably has an ideal location. But it needs to be  
23 somewhere where someone can drive up to, get the  
24 information they want and get all the information,  
25 they don't want it out in the middle of nowhere.

1 MR. WATTS: Could you maybe include something  
2 that has reference to urbanized area or something in  
3 that nature which would be generic enough to --

4 MR. MORGAN: How about changing that to in  
5 already developed areas?

6 MR. McINERNY: New visitor centers should be in  
7 already developed --

8 MR. MORGAN: Developed areas.

9 MR. McINERNY: Strike outside of the Monument  
10 boundaries.

11 MR. MORGAN: That's fine.

12 MS. HENDERSON: That's good.

13 MR. McINERNY: I'm sorry, was there the another  
14 comment?

15 MS. GONZALES-LYONS: That would take care of  
16 Snow Creek, too. Right now that's within in the  
17 area.

18 MR. McINERNY: So the recommendation is to  
19 strike the first sentence of 4.5 and to leave the  
20 second sentence or revise the second sentence, new  
21 visitor centers should be located in already  
22 developed areas.

23 CHAIRMAN KIBBEY: That would become the new  
24 4.5?

25 MR. McINERNY: Yes. All right. To close the

1 loop, then, on 4.21, what would you like to do with  
2 that statement?

3 CHAIRMAN KIBBEY: Well, based upon what Gary  
4 said, that it is a common understanding that motor  
5 homes are part of camping and campgrounds, it's not  
6 required.

7 MR. McINERNEY: Strike it, because it's assumed  
8 under the 4.1 recommendation.

9 MR. WATTS: I would just defer my colleagues in  
10 the Forest Service and BLM to confirm with that  
11 evaluation.

12 MR. BOSS: Confirm that also, definitely.

13 MR. McINERNEY: We talked about 4.1, 4.5, and  
14 4.21.

15 CHAIRMAN KIBBEY: At this point we're going to  
16 have our public input. Carl MacArthur.

17 MR. MACARTHUR: I'm not going to speak today.

18 CHAIRMAN KIBBEY: Turning, then, to John Woods.

19 MR. WOODS: If you don't want to lose the  
20 momentum, and you guys think you'd be done by 3:30,  
21 I'd be happy to wait until you're done with section  
22 4 if you want to do that.

23 CHAIRMAN KIBBEY: I appreciate that, but we  
24 should stick with our published order.

25 MS. GEORGE: John, would you like us to pass it

1 around?

2 MR. WOODS: If you like.

3 CHAIRMAN KIBBEY: Go for it.

4 MR. WOODS: I'm John Woods with Alpine Village,

5 and the map that is being passed around is one of

6 the original promotional maps for Palm Springs

7 Alpine Village. Alpine Village at that time was

8 promoted as being on the top end of what would be a

9 connector route from Palm Springs up to Highway 74.

10 That being what everybody calls Dunn Road. I

11 believe that the residents there, particularly in

12 that tract, which is approximately 630 lots, one

13 acre or larger, have reasonable expectations,

14 actually more than reasonable, that this would

15 happen due to not only the promotion by Mike Dunn in

16 his sales pitches, but also the -- going along with

17 the program, if you will, the City of Palm Springs

18 who also thought this was going to happen by their

19 constructive notice of annexing the property all the

20 way back up to the back of the Alpine Village

21 property.

22 Between the reasonable expectations that this

23 road would go through and the prices they paid for

24 the land when they originally bought it, these

25 parcels, the owners had expectations for property

1 values to increase with the finishing of the road.  
2 Dunn Road now you're looking at closing it, in fact  
3 I think most of the agencies that we've been dealing  
4 with are actively pursuing closing Dunn Road it  
5 seemed like. This -- basically this purchase by  
6 these people and the annexation by Palm Springs, I  
7 believe sets precedent for that, those reasonable  
8 expectations.

9 In Palm Canyon there has been some issues  
10 discussed in previous meetings. 10 years ago,  
11 actually after I moved up there, there was still  
12 signs saying private road, do not enter, at the  
13 entrance to Palm Canyon right behind the mailbox es.  
14 And just before I moved up there, I believe it was  
15 just before Mike Dunn died, there was a fellow named  
16 Lackey that used to be patrolling the area with a  
17 firearm that was hired by Dunn to keep everybody out  
18 of there.

19 The reason that I mention that is that we've  
20 got little infrastructure up there, but we do have a  
21 sensitive infrastructure. When Eldorado Farms was  
22 doing the trash hauling, which they called I believe  
23 green waste, with syringes and razors and things  
24 like that in it, a lot of us found out about it, got  
25 a little involved. One of the reasons we found out

1 about is their trucks crushed one of our main water  
2 valves on Palm Canyon Drive. So we have an  
3 infrastructure problem we need to worry about there.

4 Connell had mentioned at a previous meeting,  
5 and I'm going to quote her from the meeting of  
6 October 5th. She said, "staff help identify which  
7 routes are out there," continues to, "the number of  
8 visitors that are comfortable driving on dirt  
9 roads." And following that she said, "And that's  
10 something -- roads that are identified for  
11 administrative uses. Through the BLM planning  
12 process, we have routes that are designated for  
13 administrative use only. We have some routes that  
14 will be closed or some that are open."

15 Now, I don't know what those routes are, I  
16 would like to find that out as soon as we can but  
17 one of the reasons I mention that is there has been  
18 some talk about Alpine Village and particularly Palm  
19 Canyon being a portal to the Monument. Basically  
20 one of the main entry points. I don't know how true  
21 that is. I haven't been able to research it as much  
22 as I would like to. I would like to find out where  
23 the sign on 74 is going or has been installed that  
24 indicates you're in the Monument or at the Monument.  
25 I believe it's going to be somewhere near Santa

1 Rosa.

2 But this group made a motion, approved a motion

3 to -- I can only guess recommend or designate that

4 section 29 down at the first gate be the location

5 approved for the trail head, the parking, camping,

6 and possibly restroom facilities. I'm not really

7 quite sure how people are going to get there because

8 Palm Canyon is a private road.

9 If you look at the map, from Highway 74 right

10 on up to the top which is the first gate that we

11 were talking about, or you guys were talking about

12 in one of the previous meetings, that is all

13 private. In fact, all the dirt roads in Pinyon and

14 Alpine Village are still private. The Highway

15 Patrol and Cal Trans both have acknowledged that

16 they have no right of way on those roads. They

17 won't maintain them, they won't deal with them. So

18 that being the point, Dunn Road becomes a little

19 arguable because whether it's open or not to the

20 public, how is the public going to get there. How

21 is the public going to get to the campgrounds and

22 any other facilities, because we will have some

23 problems not only with infrastructure problems, the

24 water situation, but dust issues.

25 I mean we live up there. We bisect -- the road

1 bisects the entire development. So that will be a  
2 problem. I see. Probably I'm going to talk to some  
3 of the people up there who will more than likely be  
4 posting another Private Road, No Trespassing sign.  
5 The question is that if people do come up there, if  
6 the public is allowed to camp down or organize at  
7 the first gate, is this also going to be something  
8 that requires a forest adventure pass? And the  
9 reason I ask is because currently at the Pinyon  
10 Flats campground, the campers that camp in there, we  
11 seemingly get more vehicles camped outside on the  
12 public road than we do in the campgrounds. Because  
13 they don't have passes, don't want to pay the fee,  
14 have one friend that comes in with a truck or car  
15 load and the rest of them park outside and walk in.  
16 And what we need to deal with after that is the  
17 trash left by these people when they leave. That, I  
18 believe, is picked up by Cal Trans on a very  
19 infrequent basis.

20 CHAIRMAN KIBBEY: 30 seconds.

21 MR. WOODS: I'll be as fast as I can, Ed.

22 CHAIRMAN KIBBEY: Please.

23 MR. WOODS: As far as the infrastructure that  
24 the Monument would need at that point, you're going  
25 to have water, you're going to have trash removal. I'm

1 assuming restroom cleanings, pump trucks. You're  
2 going to have trash trucks going in there. Those  
3 are things that our little community really can't  
4 support on a regular basis, nor do we want to.

5 There are some other issues regarding the roads  
6 themselves, and the legislation, the Monument  
7 legislation itself, it does provide for maintenance  
8 issues for the road. I'm not quite sure of how that  
9 works because there has been varying discussions  
10 about Highway 74, but who is going to provide if the  
11 public comes in through those dirt roads, who is  
12 going to provide the maintenance for those roads,  
13 the upkeep of those roads, is that going to be us?  
14 Is that going to be Alpine Village? That's our  
15 road.

16 If that's the case, what about the other  
17 services that are going to be required up there?  
18 I've heard everything from 5 to 40 percent increases  
19 in traffic on 74, going back to the records, I don't  
20 know what's true. But that means an increase in  
21 accidents as well. Our CSA, County Service Agency  
22 60, handles the funding for the ambulance service up  
23 there. And we're taxed as it is. And actually  
24 we're taxed because of the distance. The ambulance  
25 typically is normally stationed in Garner Valley, I

1 believe it's Station 962, I'm not sure, but if that  
2 ambulance has to leave from that station to station  
3 30, that's 14 and a half minutes, best time they  
4 have ever had.

5 So when we have accidents on the road, which is  
6 the primary use for those ambulances, that ambulance  
7 service, those are going to increase with the  
8 increased traffic. Who is going to pay for the  
9 additional upkeep and additional services we need  
10 for the ambulance or fire, for highway patrol?

11 CHAIRMAN KIBBEY: Good question, John, thank  
12 you for your input. We do hold it to five minutes  
13 and the statute is clear in that regard. If you  
14 would like further comment, we meet again on  
15 February 1st and you're welcome to come back for the  
16 morning session and the afternoon session, keep your  
17 comments to five minutes.

18 MR. WOODS: I will, I have two questions, if I  
19 may. One, is if we have no further speakers, we've  
20 got a half hour allotted for time, if everybody is  
21 amenable, can I finish? I need about another  
22 minute. The second question is a point of order,  
23 and that was strictly -- it's not even a question,  
24 just a comment. In coming back in 10 minutes  
25 earlier than the time on the agenda basically I

1 believe it was unfair to the people that may have  
2 been coming in, whether they did or not, for a  
3 public session, or coming in to find out more  
4 information on this situation. You start early,  
5 nobody knows about it.

6 CHAIRMAN KIBBEY: Point accepted. Thank you  
7 very much.

8 MS. GEORGE: Mr. Chair, if it's only one  
9 minute, can we just let John finish?

10 MS. HENDERSON: I have no objection.

11 MS. GEORGE: Ask the committee.

12 CHAIRMAN KIBBEY: Committee?

13 MR. WATTS: That's fine.

14 CHAIRMAN KIBBEY: One more minute, John.

15 MR. WOODS: Thank you, committee. One of the  
16 other issues is that Pinyon Alpine Village, Alpine  
17 Village in particular is taxed by the Water Desert  
18 Agency. I would like to see them represented at  
19 some of these meetings only because we pay taxes to  
20 them because we're in their supposed watershed area.  
21 We have never, in the I believe 10 or 11 years that  
22 we've been paying taxes to them, received any  
23 benefit. That benefit is supposedly to put us in  
24 the que for receiving their services from down in  
25 Palm Springs all the way up to Alpine Village. This

1 means right of way issues, utility issues that  
2 you're dealing with in this Monument plan, roadway  
3 issues because they are asked to have access to do  
4 that. So I just wanted you people to be aware there  
5 is an issue that we are promised to have service  
6 from DWA under certain conditions. That goes right  
7 you through the middle of the Monument. That will  
8 conclude it. Thank you.

9 MS. GEORGE: Mr. Chair, one more concern.  
10 John, do you have written comments that we can have  
11 for the record, your comments, or were they --

12 MR. WOODS: Just the notes.

13 MS. GEORGE: Thank you.

14 MS. DUNNING: I would just like to respond to  
15 the question that you asked in the comment which was  
16 wanting to know what are the routes that are  
17 designated as limited, closed, or open, and that  
18 route designation process occurred, or is occurring,  
19 through the CDCA plan amendment, the BLM's other  
20 planning process. So that information is on our  
21 internet site and I can give that to you, and you  
22 can go and see exactly the roads throughout the  
23 whole Coachella Valley planning area actually that  
24 were designated as open, closed.

25 CHAIRMAN KIBBEY: And I think it should be

1 further noted, John, that this whole procedure only  
2 applies to federal lands.

3 MR. WOODS: I'm aware of that but we're  
4 completely sounded by the Monument.

5 CHAIRMAN KIBBEY: I was referring to the roads,  
6 road question. Any other questions, comments?  
7 Anyone else to speak? Okay, Mr. McInerny.

8 MR. McINERNY: Let's pick up again on issue  
9 number 4. You resolved 4.15 and deleted 21. Other  
10 topics?

11 MS. ROCHE: Yes. Mary Roche. 4.4, the comment  
12 doesn't make any sense to me based on everything  
13 else we just talked about. "The natural features  
14 and landscape already provide multiple recreation  
15 opportunities and only uses that are compatible with  
16 the conservation and preservation of the Monument  
17 should be permitted." That says to me that there is  
18 no recreational component here at all, if you use  
19 this statement.

20 MR. McINERNY: What about that from other  
21 members? Do you have a recommendation for how to  
22 change it or strike it?

23 MS. ROCHE: You're not reading it that way? It  
24 says only uses that are compatible with conservation  
25 and preservation should be permitted.

1 MR. McINERNY: Barbara, you had your hand up.

2 MS. GONZALES-LYONS: I was wondering if a  
3 committee member could clarify this for us, the ones  
4 who put this together, if they could make a  
5 background on what they were trying to get at with  
6 this.

7 MR. MORGAN: It's lifted pretty much from the  
8 legislation. Natural features and landscape, and  
9 then they already provide multiple recreational  
10 opportunities. You're just looking at it or walking  
11 in it or driving by it or whatever, and the only  
12 uses that are compatible with conservation and  
13 preservation, in other words, you don't have any  
14 destructive uses or anything that's going to cause  
15 degradation, or things that are going to change the  
16 landscape, change the features.

17 MR. McINERNY: Mr. Muth and then Parkins.

18 CHAIRMAN KIBBEY: I think Gary had his hand  
19 up.

20 MR. McINERNY: I'm sorry, Gary.

21 MR. WATTS: I was going to say I read that as  
22 opposed to consumptive uses, you know, hunting where  
23 it's not allowed, that type of thing. I don't view  
24 this as being a conflict at all. It's allowable  
25 acceptable recreational activities like hiking,

1 camping, that still fits very nicely with  
2 preservation and conservation of the resources.

3 MS. ROCHE: I read it much more limiting than  
4 that, but if nobody has a problem with it, to me it  
5 almost says what is there now is the way it's going  
6 to totally remain, we're not going to look at  
7 additional campground uses, because it's saying  
8 what's already is provided, and that's the only use  
9 that is going to be used. And so that -- and it  
10 doesn't say additional recreation. If it's  
11 nonconsumptive, then I understand that, but I also  
12 agree with the comment some time ago that you don't  
13 want to state things negatively.

14 MR. McINERNEY: Would it be agreeable, then, to  
15 just modify slightly, say natural features and  
16 landscape provide multiple recreation opportunities  
17 and should -- I lost it. But I was trying to make  
18 the point that we should put it in the positive and  
19 say that only recreation opportunities that are  
20 compatible with conservation and preservation be  
21 permitted.

22 MS. HENDERSON: You're taking word "already"  
23 out, the first "already."

24 CHAIRMAN KIBBEY: "The natural features and  
25 landscape already provide multiple recreation

1 opportunities" is editorial, could be done away  
2 with. And then if you just say that recreation  
3 opportunities should be compatible with the  
4 conservation and preservation of the Monument.

5 MS. ROCHE: Much better. That makes it  
6 clearer.

7 MR. McINERNEY: So that the suggestion is that  
8 the sentence be restructured to state recreational  
9 opportunities that are compatible with  
10 conservation --

11 CHAIRMAN KIBBEY: Shall be compatible.

12 MR. McINERNEY: Shall be compatible.

13 CHAIRMAN KIBBEY: With the conservation and  
14 preservation of the Monument. Period.

15 MR. McINERNEY: Agreeable to all?

16 MR. MORGAN: Read it again, please.

17 MR. McINERNEY: Recreational opportunities --  
18 recreational opportunity uses shall be compatible  
19 with the conservation and preservation of the  
20 Monument. Period.

21 MS. HENDERSON: Well, if I may, Terry  
22 Henderson, it's a great statement. Maybe you should  
23 read the issue statement. I mean it's just a  
24 statement unrelated to anything. It's just merely a  
25 statement and I don't know what purpose is serving

1 being in there as a statement. That we are under --

2 MR. McINERNY: Well, that is a good point in  
3 that it merely is restating what the issue statement  
4 already identifies, so the points of these  
5 individual recommendations were supposed to be more  
6 specific and supportive of the sort of over-arching  
7 statements. So a recommendation I think that's  
8 valid is deleting it. It doesn't add any clarity or  
9 specificity to how you achieve the issue.

10 MR. LYMAN: There maybe should be prohibition.  
11 It you take it the way it was written, it's to  
12 conserve and preserve. So one of the things to do  
13 that is to prohibit consumptive uses, mining,  
14 logging, those kind of things.

15 MS. HENDERSON: If you wanted to leave it and  
16 add that.

17 CHAIRMAN KIBBEY: You can't prohibit, it's  
18 within the legislation.

19 MR. WATTS: I think it's valid in one respect,  
20 Terry, in that constantly we're looking over the  
21 horizon in the recreational field, and just like  
22 mountain-biking just came out of nowhere and just  
23 snowed us, we weren't ready for it. And I think --  
24 we don't know what's going to be, you know, popular  
25 20 years from now and something brand new will come

1 about, and I think in that regard having this type  
2 of a guiding principal helps the future Monument  
3 people deal with those types of things. And if some  
4 use comes along that we can't envision yet that  
5 turns out to contrary to this, it does give you a  
6 little bit more as manager to respond to that  
7 activity and not, you know, have to shoot from  
8 behind the 8 ball like we did with other uses that  
9 caught us by surprise. I only bring up as a land  
10 manager and how we try to use these documents to  
11 respond to things that we can't see happening in the  
12 future.

13 MR. McINERNEY: So that recommendation is to  
14 leave it as revised.

15 MR. McINERNEY: Mr. Morgan, do you support that?

16 MR. MORGAN: As revised, yes.

17 MS. GONZALES-LYONS: Can you reread that again.

18 MR. McINERNEY: Yes. Recreational opportunity  
19 uses shall be compatible with the conservation and  
20 preservation of the Monument. Agreeable as stated?

21 Okay. Moving on. Other statements under this issue  
22 topic for discussion?

23 MR. MORGAN: Are we still on 4.5 or --

24 MR. McINERNEY: No.

25 MR. MORGAN: I'm sorry, 4.4 I mean.

1 MR. McINERNY: Your question are we still on  
2 4.4, I think the committee agreed with the revision.

3 Do you have a question about it?

4 MR. MORGAN: No.

5 MR. McINERNY: Other statements under this  
6 issue topic?

7 MR. MORGAN: I've been thinking about this  
8 dispersed shooting and we've got --

9 MR. McINERNY: What number are you on?

10 CHAIRMAN KIBBEY: You're on 7. We have to get  
11 to 6 first.

12 MR. McINERNY: Does anyone have problem with  
13 4.6? We can go to 4.7. I'm just sort of keeping  
14 this open at this point because it allows you to  
15 identify what topics you want to address.

16 CHAIRMAN KIBBEY: 4.7?

17 MR. MORGAN: Yes, "Dispersed shooting should be  
18 prohibited, except in perimeter areas where such use  
19 can be managed in a safe manner." Maybe dispersed  
20 shooting cannot be managed in a safe manner in a  
21 public national monument setting. And so we maybe  
22 want to take a look at that and have a thought about  
23 it.

24 MR. McINERNY: Is your recommendation to advise  
25 that shooting should be prohibited?

1           MR. MORGAN: I would like, yes, to get rid of  
2 the end of it and just keep it dispersed shooting  
3 should be prohibited within the Monument.

4           MR. McINERNY: Mr. Kibbey.

5           CHAIRMAN KIBBEY: In our report from Fish &  
6 Game this morning we learned it is a permissible  
7 use, and I don't believe we can prohibit it. My  
8 comment on this was, in perimeter areas, that didn't  
9 make any darn sense because perimeter areas where is  
10 where you are going to get the most use. But since  
11 we had this report this morning, I would ask suggest  
12 we strike 4.7.

13          MR. MORGAN: I don't think -- dispersed  
14 shooting may be prohibited under California  
15 Department of Fish & Game regulation, but they are  
16 not providing the regulation on federal lands. And  
17 I believe we -- it is within our perspective to  
18 consider this. I think the federal land oversees  
19 the state or overrides it, so therefore I think  
20 that -- I believe we can make it -- a thing about  
21 it.

22          MR. McINERNY: If I can make a suggestion, it  
23 might be a minority opinion but you could state that  
24 dispersed shooting should be prohibited within the  
25 Monument to the extent allowable by governing laws.

1 It's up to staff to take that recommendation now and  
2 figure out where they can apply that or not within  
3 the Monument, but if that's a member's  
4 recommendation we want to provide that.

5 MR. WATTS: I would change that from dispersed  
6 shooting to use of firearms.

7 MS. GEORGE: Discharge of firearms.

8 MR. MORGAN: Well, see, the trouble is we allow  
9 hunters.

10 MR. MUTH: Which is dispersed shooting.

11 MR. MORGAN: What I'm saying -- target shooting  
12 or dispersed shooting, call it whatever you want is  
13 what we're talking about here or just shooting guns.

14 MR. McINERNEY: So to clarify, you could state  
15 that dispersed shooting, not hunting.

16 MR. MORGAN: Yes, not hunting.

17 MR. McINERNEY: Other thoughts on this?

18 MR. WATTS: Could you read it again because I  
19 thought you said it would be in accordance with  
20 existing laws and regulations.

21 MR. McINERNEY: That's correct. My suggestion  
22 was dispersed shooting should be prohibited within  
23 the Monument to the extent to allow or permit -- in  
24 accordance with all laws and regulations.

25 MR. MORGAN: Federal.

1 MR. WATTS: My counter would be firearm use  
2 within the Monument would only be allowed in  
3 accordance with the existing laws and regulations.

4 MR. McINERNY: That's a fine suggestion.  
5 Barbara.

6 MS. GONZALES-LYONS: Would you then change both  
7 4.6 and 4.7 to that one statement, because really  
8 the hunting and the firing of a firearm would be  
9 based on the same guidelines.

10 MR. McINERNY: Good suggestion, his comment  
11 incorporates those two.

12 MS. DUNNING: I would suggest you keep it in  
13 because people are who going to review this document  
14 would like to hear you calling out hunting. Hunting  
15 is a big concern of the public. So certainly when  
16 you see it in the plan, we're going to talk about  
17 them in a similar place but as an Advisory Committee  
18 just calling out that you understand hunting, and as  
19 we talked about it earlier, I think it doesn't hurt.

20 MR. McINERNY: Good suggestion.

21 MR. MORGAN: Under existing laws and regulation  
22 right now you can go out and shoot pretty much  
23 anywhere, so that doesn't change anything. So I'm  
24 trying to have it changed here from existing  
25 regulation. I'm trying to insert something.

1 MR. WATTS: But if I may, Jeffrey, it also  
2 doesn't prohibit it in the future from becoming  
3 regulated.

4 MR. MORGAN: We have an opportunity now for it  
5 to be considered in the planning process.

6 MR. McINERNEY: It's really up to the committee  
7 to decide whether or not you want to support Jeff's  
8 recommended sort of increased regulation of  
9 dispersed shooting or not, and go with the revised  
10 statement which would just say that dispersed  
11 shooting should be allowed to -- in accordance with  
12 federal and state laws, and it's sort of a differing  
13 of opinions. Mr. Kibbey.

14 CHAIRMAN KIBBEY: The only way you can limit  
15 it beyond the existing law is to change the law.  
16 That's not the purview of this group. And I would  
17 suggest that the fact that we have mentioned it in  
18 here shows a concern, and if then that develops into  
19 legislation that would change the law, fine, but I  
20 don't believe it's within the purview of this group  
21 to suggest change of laws.

22 MR. MORGAN: Well --

23 CHAIRMAN KIBBEY: I turn to the legislation  
24 which speaks directly to existing laws.

25 MS. GEORGE: Danela George. I think -- to

1 make sure I'm clear, we're going to go ahead and  
2 keep hunting as a pure item. So we address the  
3 hunting. Dispersed shooting, there really is no  
4 law, federal law about dispersed shooting. It's  
5 just an allowed use. The people can wander around  
6 and shoot. And what we've heard in the public  
7 scoping, and public work, internal workshops, too,  
8 internal with law enforcement folks, is this is  
9 becoming more and more concerned. So what I'm  
10 hearing around the table, I think I heard Buford say  
11 how can perimeter areas be safe. I mean that truly,  
12 it's becoming more populated in the perimeter area  
13 so it's pretty difficult to manage it.

14 So for clarification, for one of these  
15 objectives, maybe it should be dispersed shooting  
16 should be prohibited within the National Monument.  
17 Period.

18 MR. MORGAN: Period. That's where I started.

19 MS. GEORGE: That would be totally appropriate  
20 for the planning process. And you could have one of  
21 continued dispersed shooting where it's safe within  
22 the National Monument.

23 MS. HENDERSON: Maybe that really doesn't come  
24 down to much more than two, two statements. One  
25 that we have in the plan and one as a minority

1 statement. And we can vote on it and see which one  
2 goes into the plan and which one goes as a minority  
3 statement.

4 MR. McINERNY: And those two statements being?

5 MS. HENDERSON: The revised one as you devised,  
6 and the agreed upon one between Danella and Jeff.

7 MR. McINERNY: So to make this clear, I'm  
8 taking some notes here, the way I recorded it, two  
9 statements. The first, dispersed shooting should be  
10 prohibited within the Monument to the extent allowed  
11 by federal and state law.

12 MS. GEORGE: I wouldn't even add federal and  
13 state law, just period, within the National  
14 Monument. There is no law that I'm aware of that  
15 allows people to go out randomly shooting. There is  
16 hunting laws that we heard today, hunting is a use,  
17 California Department of Fish & Game allows hunting  
18 with state lands. But there is no random dispersed  
19 shooting, that there is some law of public dispersed  
20 shooting act.

21 MR. WATTS: But we heard the Forest Service say  
22 that their lands are open to target shooting almost  
23 without exception. That's a conflict here.

24 MS. GEORGE: Right, that is a conflict, but we  
25 can make a decision to close it, too, in this plan.

1 MR. McINERNY: Okay. Let's sort of limit our  
2 comments now to specific recommendations that you  
3 would like to see the committee either adopt or not  
4 adopt. I have a feeling we'll go around on this for  
5 quite some time. Mr. Bogert.

6 MR. BOGERT: I think we ought to have  
7 designated areas where they can shoot. In Palm  
8 Springs around the corner we have a cove, the old  
9 policemen's fire range, and that's open for people  
10 to go shoot. We could designate an area like that,  
11 another area would be allowed. I was surprised that  
12 the Forest Service allowed shooting or target  
13 practice. I think we should eliminate all that and  
14 have it only in very designated certain areas which  
15 we would later designate.

16 MR. McINERNY: Would you like to suggest, then,  
17 specific areas that you think should be considered  
18 for permitted shooting?

19 MR. BOGERT: The only areas are on the lowest  
20 level, where you're shooting into a mountain and  
21 there is nothing else around.

22 MR. McINERNY: Ms. Henderson did you want to  
23 add?

24 MS. HENDERSON: No, my only comment would be if  
25 we were to go directly back to what Danella said

1 about there being no law, then maybe we shouldn't be  
2 looking at two statements, only merely one. Because  
3 if there is no law, we don't have to address a  
4 no-law situation. But just the statement that we  
5 are going to ban it or we aren't.

6 MS. GEORGE: Danella again. Just dispersed  
7 shooting prohibited period, or dispersed shooting  
8 except in identified areas that Mr. Bogert just  
9 described.

10 MR. CRITES: Yes.

11 MS. HENDERSON: Yes.

12 MR. MORGAN: This statement, as it started off,  
13 did in fact designate the same areas that Mr. Bogert  
14 has just described, and it was slimmed down, culled  
15 down, shrunk from the original and just left as  
16 this. So all I was doing was shrinking it even  
17 further.

18 MR. McINERNEY: Do you have --

19 MR. WATTS: It's pretty clear that shooting is  
20 an allowable use and it can be regulated by the  
21 agencies responsible in the areas they deem safe.  
22 So you can give them language which allows them to  
23 manage it, then they can, without you telling them  
24 when and where and how.

25 MR. McINERNEY: Mr. Muth.

1 MR. MUTH: Al Muth. Dispersed shooting in the  
2 context, mostly discussion of Forest Service  
3 regulation, is folks going out into the forest and  
4 shooting at targets or shooting at lizards on trees  
5 or whatever it is they do. I think what Mr. Bogert  
6 is advocating is a target range or a controlled  
7 situation for the discharge of weapons for whatever  
8 you want to do it for. Those are two different  
9 things. So if you say dispersed shooting should not  
10 be allowed, that's one statement. Shooting should  
11 be confined to designated areas is a second  
12 statement. We're combining too many things into  
13 this one statement I think.

14 MR. McINERNY: Again, I put the question back  
15 to you, then, as the committee, what is it you want  
16 to recommend? Is it two separate situations, where  
17 you can allow shooting or shouldn't allow it?  
18 That's what I hear.

19 MR. BROCKMAN: I think Al has described the two  
20 alternatives and I would like to see us just vote on  
21 it, move on, take a vote for one or the other.

22 MR. McINERNY: Okay. And, you know, I'm not  
23 sure how a vote of this nature take place. Is it by  
24 show of hands?

25 CHAIRMAN KIBBEY: If I may, this would not be

1 a binding vote but an advisory vote only by show of  
2 hands, would vote for the idea of banning all  
3 dispersed shooting in the Monument.

4 MR. CRITES: Does that still allow what  
5 Frank --

6 CHAIRMAN KIBBEY: By that statement. That's  
7 the first one. We have no votes -- we have one vote  
8 for that. We have two votes for that. We have  
9 three votes. We have four votes for that. Okay.

10 The other side of the coin would be we would  
11 recommend that specific areas be delineated within  
12 the Monument for dispersed shooting. Is that fair?

13 MR. MUTH: That would be --

14 CHAIRMAN KIBBEY: That's the other side.

15 MR. MUTH: The other side.

16 CHAIRMAN KIBBEY: How many would like that  
17 side? Then we can work with whichever statement you  
18 like.

19 MS. GEORGE: I don't think that's what --  
20 Mr. Chair, I'm sorry. Frank said actually I think  
21 he was talking about a target range into the  
22 mountain.

23 CHAIRMAN KIBBEY: I understand. Again, we'll  
24 get down to that. I'm just trying to find out one  
25 side is no shooting at all, the other side is

1 designating shooting.

2 MS. HENDERSON: If you are just going to say  
3 designated shooting area, which could be target,  
4 etcetera, etcetera.

5 CHAIRMAN KIBBEY: The whole thing. I'm just  
6 trying to get the two sides. Which side do we want  
7 to work on? Okay. Who would like to have  
8 designated areas? One, two, three, four, five, six.  
9 So let's work on designated areas and then we can  
10 have a minority report once we're done with that on  
11 the other direction. Is that satisfactory?

12 MR. McINERNEY: Thank you. So further topic of  
13 designated shooting areas, how would you like that  
14 addressed? In a simple statement that says shooting  
15 shall be permitted in designated areas within the  
16 Monument? Period?

17 CHAIRMAN KIBBEY: Sounds good to me.

18 MS. HENDERSON: That gives management crew  
19 team -- yeah.

20 MS. ROCHE: I think it should say only in  
21 designated areas.

22 MR. BROCKMAN: Yes.

23 MR. McINERNEY: Shooting shall be permitted only  
24 in designated areas within the Monument.

25 CHAIRMAN KIBBEY: I just want to say when you

1 say "only," then you got the hunting problem.

2 MS. ROCHE: No, but dispersed. Weren't we  
3 talking about the dispersed -- the hunting I thought  
4 we put to bed.

5 MS. GEORGE: Hunting is separate than  
6 recreational shooting.

7 CHAIRMAN KIBBEY: Allan pointed out that  
8 hunting is dispersed shooting.

9 MS. ROCHE: No.

10 MS. HENDERSON: Hunting is target shooting.

11 MR. MUTH: Yes, it is dispersed shooting, but  
12 that's an allowed use under the law, so.

13 MR. McINERNEY: And remember that you have 4.6  
14 which specifically addresses hunting, so if you put  
15 these two together, it's clear that you're  
16 addressing hunting, how it should be regulated, and  
17 then you're talking about other dispersed shooting.  
18 And that statement is dispersed shooting shall be  
19 permitted only in designated areas within the  
20 Monument.

21 CHAIRMAN KIBBEY: Barbara.

22 MS. GONZALES-LYONS: This type of statement  
23 being said as it is written here, does that then  
24 allow then the staff to go out and get a study done  
25 to find out where those designated areas will be?

1 By having that type of statement, that means they  
2 will then have to get a study done to see where they  
3 will be allowed, if at all.

4 MS. HENDERSON: Right.

5 MR. McINERNEY: That study applies to all these  
6 recommendations, that is the management plan and the  
7 corresponding environmental analysis that's being  
8 undertaken. So all the recommendations that this  
9 committee is providing are getting analyzed in a  
10 management plan.

11 MR. LYMAN: One comment about shooting. If  
12 anybody is familiar with the Lytle Creek area, that  
13 is a designated shooting area. On a weekend it  
14 becomes a war zone. I don't know if that is your  
15 intent, but that's what you're saying. I don't  
16 think it's designated for that discharge of  
17 firearms. On a weekend it becomes hell. And it is  
18 a contained cove area.

19 MR. McINERNEY: Yes.

20 MR. CRITES: Let me add one more vote to the no  
21 on dispersed shooting. Point is well taken.

22 MR. MORGAN: We have one more vote.

23 MS. GONZALES-LYONS: I didn't know about this  
24 problem that they were saying. Either we change the  
25 sentence to say if, you know, once they do the study

1 that the dispersed shooting will happen only if  
2 safe, you know, or what, otherwise I'll be a no vote  
3 on shooting because I didn't know that problem was  
4 over there.

5 CHAIRMAN KIBBEY: I guess I've got to address  
6 that so-called problem. I don't remember reading in  
7 the newspaper about a whole bunch of people being  
8 shot down there, so what he considers a war zone --

9 MR. LYMAN: Ed, last summer two people were  
10 shot.

11 CHAIRMAN KIBBEY: That's fine, but it doesn't  
12 make it a war zone in my -- doesn't make it a war  
13 zone in my mind. These people, they are going to  
14 shoot somewhere, and I think if we can try to tie  
15 them down to where they shoot, it would be better  
16 off than having a war zone wandering all around the  
17 Monument. These people, they are going to shoot.  
18 They have these guns and they want to use them.  
19 They have the ammunition, they like to spend the  
20 money.

21 MR. McINERNEY: I need to sort of call a  
22 question, you want to comment.

23 MR. CRITES: Darn right. All of a sudden now  
24 we have an issue because then by that reasoning we  
25 need to provide ORV opportunities in the Monument

1       which we're not doing. Because they have got ORVs  
2       and they are going to use them, that doesn't mean we  
3       have to provide them in the Monument. They can  
4       provide it somewhere else for that opportunity.

5           CHAIRMAN KIBBEY: I was just speaking to war  
6       zone.

7           MR. MORGAN: We have this statement in some of  
8       this stuff earlier, but not at all recreational uses  
9       are adequate or -- I can't remember the exact words  
10      of --

11          MR. McINERNY: Compatible with -- so what  
12      you're calling the question for is, again, no  
13      dispersed shooting to be allowed in the Monument.

14          MR. MORGAN: Yes.

15          MR. McINERNY: And it seems that the committee  
16      seems to be split between allowing shooting or no  
17      shooting. How do you want it? And I don't want to  
18      go around another 20 minutes talking about it. We  
19      really need to come up with an objective. So.

20          CHAIRMAN KIBBEY: Barbara.

21          MS. GONZALES-LYONS: Since we're split, maybe  
22      both options to go into it and then maybe they do  
23      the study, see where the stats fall and it goes that  
24      way.

25          MR. McINERNY: Is that agreeable? We could put

1 both options for one allowing dispersed shooting in  
2 certain areas, and secondly no shooting should be  
3 permitted in the Monument, as both sort of minority  
4 opinions.

5 MR. MORGAN: Take another vote on them both.

6 MR. McINERNEY: My suggestion, or would you like  
7 to take another vote as you're recommending?

8 MR. MORGAN: I would like to take another vote.

9 MR. McINERNEY: Show of hands, then. Well, let  
10 me ask the question, though. Let's say you get one  
11 more vote for one than the other, does that become  
12 the opinion? No, so there is no real value in  
13 taking a vote. They both end up as a minority  
14 opinion.

15 MR. FREET: Just a point of clarification, is  
16 shooting to be implied firearms discharge or does  
17 that also include archery and whatever else?

18 MR. MORGAN: I think we're talking about the  
19 shooting of guns particularly.

20 MR. FREET: Okay.

21 MR. McINERNEY: Would you like it to be  
22 clarified that --

23 MR. FREET: No, I just asked a question.

24 MR. McINERNEY: Mr. Muth.

25 MR. MUTH: I have a proposal. That in the

1 management plan we put dispersed shooting should be  
2 prohibited period. Shooting may be allowed in  
3 designated areas only. Now doesn't that cover --

4 MR. BOGERT: Maybe we could have properly  
5 supervised designated areas.

6 MR. McINERNEY: Well, that's a good suggestion.

7 CHAIRMAN KIBBEY: I could go with that.

8 MR. McINERNEY: Could the committee move on  
9 that, the recommendation is dispersed shooting  
10 should be prohibited within the Monument. Period.  
11 And then the second sentence would be something to  
12 the effect that shooting might be allowed in  
13 designated areas?

14 MR. MUTH: Maybe.

15 MS. GEORGE: Al said it real well.

16 MR. McINERNEY: Does the committee agree to that  
17 as something to include as unanimously supported?

18 Okay. Very good. That's 4.7.

19 Let me just check in with you. It's almost  
20 2:00 here. We are not halfway through this  
21 document. We need to figure out a way now to keep  
22 our recommendations very specific. So, please, we  
23 want to get through this, and I know that the  
24 cultural has quite a few topics but I don't believe  
25 they are going to be discussed at this level since

1 they have already been adopted by work group, so  
2 let's keep our energies focussed.

3 MS. GONZALES-LYONS: I do have a question on  
4 the cultural when you get to it.

5 MR. McINERNEY: Of course. I'm not saying just  
6 to accept everything today, I want to go through the  
7 remainder of issue statement number 4. Other  
8 comments on topics?

9 CHAIRMAN KIBBEY: On 4.8, I think you want to  
10 say cross-country and not cross-county.

11 MR. McINERNEY: Yes, that's correct.

12 MR. WATTS: On 4.8 I would suggest that you  
13 delete "will not cause potential impacts" on the  
14 second line, and substitute it with is not  
15 detrimental. So it reads cross-country walking and  
16 equestrian travel should be allowed in any area  
17 where such activity is not detrimental to sensitive  
18 cultural or biological resources.

19 MR. McINERNEY: Okay. Agreeable to everyone?

20 MS. GEORGE: Can I had add one more? Just add  
21 physical to be cause of erosion.

22 MR. McINERNEY: To sensitive cultural,  
23 biological, and physical resources?

24 MS. GEORGE: Please.

25 MR. McINERNEY: Mr. Muth.

1 MR. MUTH: I've got a problem. Cross-country  
2 walking, cross-country horses, cross-country  
3 mountain bikes all cause erosion. They trample  
4 plants and on down the line. It's just a matter of  
5 degree. So if you're going to allow for  
6 cross-country use for walking and equestrians, it  
7 doesn't seem right that you would exclude mountain  
8 bikes. It's a matter of degree. So I think there  
9 needs to be some wordsmithing done here. Unless  
10 I'm, again, in the minority. These suggestions just  
11 don't make logical sense to me. I don't believe  
12 they are compatible.

13 MR. CRITES: It is a matter of degree. I'd  
14 certainly make a difference between hiking and  
15 mountain-biking in terms of kinds of impacts that it  
16 has off the trails. I think those are significant  
17 differences. Take five hikers and five mountain  
18 bikes all across the countryside I suspect I can  
19 tell one versus the other pretty easily.

20 MR. MUTH: I agree, but over time the impact  
21 will come out the same.

22 MR. McINERNEY: Mr. Morgan.

23 MR. MORGAN: Yeah, this is in here because  
24 there are many, many points within the Monument that  
25 are regularly accessed that are not on the trail

1 system yet generally through informal trails. If  
2 you look at that ridge over there, every one of  
3 those peaks within the Monument has an informal  
4 trail at the top of it. If you don't permit this  
5 use, you are going to prohibit this use. And if you  
6 prohibit this use, it's going to create a lot of  
7 problems for users that generally don't cause any  
8 detrimental harm to the physical, cultural,  
9 biological --

10 MR. McINERNEY: Your suggestion regarding this  
11 is then what?

12 MR. MORGAN: Leave it as it is.

13 MR. McINERNEY: Can you live with that?

14 MR. MUTH: I can live with it. It was just a  
15 point.

16 MS. GEORGE: I have one question. Danella  
17 George. If we're going to tier it to the trails  
18 plan, isn't one of the issues sheep and how do we  
19 manage those who don't know where the sheep are when  
20 they are wandering off trail.

21 MR. MORGAN: This was -- sorry, Jeff Morgan.  
22 This was written in, sensitive cultural and  
23 biological. The biological resources are the sheep.  
24 The policy should be communicated on official  
25 Monument maps. All the areas covered in purple

1       which says you don't go because of the sheep, in  
2       other words, you would not be allowed to do it in  
3       those areas. That is a communication thing.

4           MS. GEORGE: One other question. As devil's  
5       advocate, as a manager how do I manage creating  
6       suddenly road trails becoming developed.

7           MR. McINERNEY: You have to address that in the  
8       plan. I don't think we have an answer to that at  
9       this moment. So we're going to stay with this  
10      recommendation as written, unless there is a  
11      suggestion for changing it. No?

12          CHAIRMAN KIBBEY: Go for it.

13          MS. HENDERSON: Excuse me, I have to leave. I  
14      apologize. This has been known for two months that  
15      I was going to have to leave. And before I do, to  
16      get the conversation going, I'll let you all solve  
17      it the way you want, but we were in section 4 going  
18      to address motorized guided tours. And I would like  
19      to suffice it and say I fully support the concept  
20      and I'm sure the way you folks narrow it down will  
21      be fine with me. But I'd like to be on record that  
22      I do think the Monument should provide for motorized  
23      guided tours. It's a big part of our tourism  
24      industry here, and I'm also here representing the  
25      tourism industry.

1 MR. McINERNY: Thank you. We'll be sure to  
2 cover that. Other objective statements here that  
3 you would like to discuss?

4 CHAIRMAN KIBBEY: I would suggest 4.10 be  
5 transferred to 10.12.

6 MR. McINERNY: 4.10 transferred into --

7 CHAIRMAN KIBBEY: 10.12.

8 MR. McINERNY: Very good. Moving on.

9 MR. WATTS: 4.12 causes a little bit of grief  
10 for me as a manager.

11 CHAIRMAN KIBBEY: Can I do 4.11 first? 4.11 I  
12 think could be integrated into 4.3.

13 MR. McINERNY: We can do the wordsmithing on  
14 that, that's fine.

15 CHAIRMAN KIBBEY: Should be covered in 4.3 and  
16 you're expanding.

17 MR. McINERNY: Go ahead, Gary.

18 MR. WATTS: Gary Watts. On 4.12, the way I  
19 read that is that you're opening up the BLM and  
20 everyone else in the Monument to a lot of lawsuits  
21 whenever somebody gets hurt and there is no signs.  
22 So I don't know exactly what an unsafe recreational  
23 opportunity would be, except I know that people  
24 climb rocks at Mount San Jacinto that I would  
25 consider unsafe but they are allowed to do it. So

1 I'm not sure where that came from. If it needs to  
2 be in there, I would just qualify it by maybe adding  
3 recreational opportunities should, when appropriate,  
4 have visible permanent signage. But that's my  
5 concern on it. I mean there is a million unsafe  
6 opportunities up there. You're never going to be  
7 able to sign all of them so you're opening yourself  
8 up for lawsuits.

9 MR. McINERNY: I agree, and maybe a  
10 recommendation is to actually move the concept to  
11 issue statement number 3, Interpretation, and state  
12 that materials that are prepared about the Monument,  
13 discuss or, you know, describe some of the dangers  
14 inherent with recreational activity in the Monument.  
15 Get away from putting specific signs.

16 CHAIRMAN KIBBEY: 4.17 also. 4.17 speaks to  
17 the same thing.

18 MR. McINERNY: Is that an okay transfer?

19 MR. FREET: Bary Freet. I just raise the  
20 question, would you want to consider sticking it  
21 into issue statement 11 under public safety?

22 MR. McINERNY: Yes. Or you could do the same  
23 thing there. It's really your choice so that it's  
24 covered in the appropriate place. Yeah, we have  
25 11.4, "Prepare and disseminate information to the

1 public about known hazards within the Monument." So  
2 we'll do that.

3 MS. GEORGE: So we deleted 4.12.

4 MR. McINERNY: Yes. 4.12 deleted, or actually  
5 moved in concept. And then what was the next --

6 CHAIRMAN KIBBEY: 4.17, virtually the same  
7 thing.

8 MR. McINERNY: Yes. Let's keep in mind what  
9 Ms. Henderson asked us to consider.

10 CHAIRMAN KIBBEY: I think that would be 4.24,  
11 right?

12 MR. McINERNY: Motorized guided tours. I just  
13 want to be sure if we didn't have an existing  
14 statement that might be --

15 CHAIRMAN KIBBEY: We do not.

16 MR. McINERNY: We do not.

17 CHAIRMAN KIBBEY: I didn't see one. I suggest  
18 it would be 1.24 when we get to it.

19 MR. McINERNY: Very good.

20 MR. WATTS: 4.19.

21 CHAIRMAN KIBBEY: I've got 4.16.

22 MR. WATTS: Fine.

23 CHAIRMAN KIBBEY: 4.16, "The Coachella Valley  
24 Trails Council map is the best available document  
25 for trails use but it needs to be updated regarding

1 various closures and other issues." I don't think we  
2 as an organization are telling a private  
3 organization what to do. I think we might say that  
4 the Coachella Valley Trails Council map could be  
5 used as a base document or something like that.

6 MR. MORGAN: That's what it was supposed to  
7 say.

8 MR. McINERNEY: Let's say should be used as a  
9 resource.

10 MR. MORGAN: It's just the base map which is  
11 probably is everything is going to be based on,  
12 that's all it was suggested as, as a basis.

13 MR. McINERNEY: Mr. Brockman.

14 MR. BROCKMAN: I had the same concern, but if  
15 you look back on 4.13, it talks about the multiple  
16 species plan as a starting point for trails plan,  
17 and I would just as soon strike 4.16 knowing we've  
18 got 4.13 that talks about the trails masterplan.

19 MR. McINERNEY: Is that agreeable? Okay.

20 MR. MORGAN: Well, this came about because of  
21 the need for a map. Right now there isn't a map.  
22 And there is nothing in 4.13 that says we need to  
23 use a map. It just says a masterplan. If we can  
24 add a map to that as well.

25 MR. CRITES: Actually there is a map back on of

1 the other ones.

2 MR. McINERNY: The Interpretation section  
3 covered creation of information. So I think  
4 consolidating as much as possible is a good idea and  
5 doing away with 4.16.

6 Moving on. Gary, you had a comment.

7 MR. WATTS: On 4.19, I'm not even sure if it  
8 needs to be there, but I will offer up that right  
9 after it says "trail maintenance opportunities," and  
10 then it leads into "that also minimize regulation  
11 and red tape," that that be eliminated and put a  
12 period right after opportunities.

13 CHAIRMAN KIBBEY: Are you sensitive?

14 MR. WATTS: As a practitioner of minimizing  
15 regulation and red tape, I don't need it to be in a  
16 document.

17 MR. McINERNY: Are folks agreeable to leaving  
18 the revised sentence in?

19 MR. FREET: Yes.

20 CHAIRMAN KIBBEY: 4.20, if I may.

21 MR. MORGAN: What about 4.18? Nobody wanted to  
22 discuss that? No? Okay.

23 CHAIRMAN KIBBEY: 4.20, in the second line,  
24 "information and individuals working those centers  
25 need to" -- I'm suggesting strike "have" and put in

1 "be provided."

2 MR. McINERNEY: Very good. Okay. 22? 23?

3 Comments?

4 CHAIRMAN KIBBEY: Only because it's within 4,  
5 I'm jumping to 5.1 and suggest that be included --  
6 or is including 4.15.

7 MR. McINERNEY: Mr. Kibbey is suggesting that  
8 5.1, which states, "All trails need to designate  
9 allowable user groups and appropriate signage should  
10 be developed to clearly identify allowable uses,"  
11 that that be --

12 CHAIRMAN KIBBEY: Integrated in 4.15.

13 MR. McINERNEY: 4.15, that's correct.

14 CHAIRMAN KIBBEY: It's almost identical. I  
15 think there is about two words there.

16 MR. McINERNEY: So we would strike 5.1? Okay.  
17 We're jumping ahead, but since it was right there,  
18 that's fine. Let's wrap up on this statement number  
19 4.

20 CHAIRMAN KIBBEY: Statement 4.24.

21 MR. CRITES: I have a suggestion.

22 MR. McINERNEY: Very good.

23 MR. CRITES: Organized tours including hiking,  
24 equestrian, and motorized be encouraged where  
25 appropriate. That doesn't get into anybody's

1 particular yeses or nos or anything else, but it  
2 certainly says this is recognition of the importance  
3 of that. And that is, by the way, how most people  
4 prefer to become acquainted with the Monument;  
5 horses and/or whatever.

6 MR. McINERNEY: And to clarify for this new  
7 4.24, which specific activities would we include  
8 there? Organized tours including hiking --

9 MR. CRITES: Or for example, however you want  
10 to phrase that. For example, hiking, equestrian, or  
11 motorized be encouraged where appropriate.

12 MR. MORGAN: Could we define appropriate a  
13 little more?

14 MR. CRITES: That's the kind of stuff we got to  
15 get into the management plan and it fits everything.  
16 You and I can have that argument --

17 MR. MORGAN: No, I'm not going to argue.

18 MR. CRITES: It's just a catchall, as  
19 appropriate.

20 MR. McINERNEY: Well, appropriate is defined in  
21 the resource protection descriptions that you  
22 provided, I think, all over this recommendation. So  
23 that's a good suggestion. Is that agreeable to the  
24 committee?

25 MS. ROCHE: Yes.

1 MR. McINERNY: There is a new 4.24. Let's just  
2 do a quick check here on this section, ones that we  
3 didn't specifically address. 4.9, cross-country  
4 travel for mountain bikes. Were there concerns on  
5 that? None. I'm going to check it off. I'm just  
6 identifying statements that we have.

7 MR. PARKINS: Move along.

8 MR. McINERNY: 13, 14, 15.

9 CHAIRMAN KIBBEY: No problem.

10 MR. PARKINS: We're on 5.

11 MR. McINERNY: Yes, we are. We actually  
12 already started statement 5. "How will the monument  
13 monitor current and future use and modify management  
14 strategies as appropriate." We struck 5.1. Other  
15 discussion under this category? Mr. Kibbey.

16 CHAIRMAN KIBBEY: On 5.2, I would bring 5.5  
17 into this.

18 MR. McINERNY: That's correct, they both  
19 address certain permitting.

20 MR. MORGAN: On 5.2, rather instead of  
21 incorporating the permits, I'm sorry, I think maybe  
22 we should delete that and I don't think we need  
23 permits other than wilderness type permits which are  
24 addressed already. I think there are Adventure  
25 Passes, when you're in the Monument you need it, I'm

1       sorry, when you're on the BLM you need it. When  
2       you're in the Forest Service you don't need it, the  
3       other way around. And I know the Forest Service  
4       wouldn't agree on this, but two different standards  
5       within the same thing is probably not the way to go.

6           CHAIRMAN KIBBEY: And that's what it speaks  
7       to. It says "address the inconsistency."

8           MR. MORGAN: Right.

9           CHAIRMAN KIBBEY: Between various agency's  
10       permit processes and formats and develop a  
11       standardized permit system, such as the Adventure  
12       Pass, and implement it through the entire Monument.

13          MR. MORGAN: That's correct, but what I'm  
14       trying to say is maybe we could also not have a  
15       permit system.

16          CHAIRMAN KIBBEY: That would be an option under  
17       that statement, is what I'm getting at.

18          MR. CRITES: Suggestion on 5.2, then, strike  
19       the word permit from right behind standardized, and  
20       develop a standardized system, strike the rest of  
21       the Adventure Pass thing and implement it throughout  
22       the entire Monument.

23          MR. McINERNEY: Sentence would read address the  
24       inconsistency between various agency's permit  
25       processes and formats and develop a standardized

1 system and implement it throughout the entire  
2 monument. Okay. Agreed.

3 CHAIRMAN KIBBEY: And delete 5.5.

4 MR. McINERNY: And then 5.5 is gone.

5 MR. CRITES: 5.6, when we wrote it, it had  
6 something to do with something that was real and  
7 whatever that was has long since disappeared the way  
8 I read it now. We can remove that one from my mind.

9 MR. McINERNY: Okay. Mr. Brockman.

10 MR. BROCKMAN: Seems like 5.7 belongs under  
11 issue statement 6 and deals with private land  
12 owners.

13 MR. McINERNY: The recommendation to move 5.7  
14 into issue statement number 6. Very good. What  
15 about the remainder of these? Yes, Mr. Kibbey.

16 CHAIRMAN KIBBEY: 5.10 is addressed in issue  
17 number 3. Also 5.11 is addressed in issue number 3,  
18 in that it talks about the advertising and all that  
19 sort of thing. And so visitor centers should sell  
20 Monument guidebooks is alluded to in there.

21 MR. McINERNY: So recommendation to strike both  
22 those from this category.

23 MR. MORGAN: Comment.

24 MR. McINERNY: MR. CRITES first.

25 MR. CRITES: Buford Crites. I think 5.11 is

1 addressed other places. The content of 5.10, at  
2 least to me, should just not be deleted but simply  
3 shifted over to that other area.

4 MR. McINERNEY: Which --

5 MR. CRITES: Because it has a specific idea  
6 that we recognize ahead of time the issues that have  
7 befallen a lot of other places that have ended up  
8 overselling and have ended up losing the qualities  
9 that people go there for.

10 MR. McINERNEY: So your suggestion would be to  
11 move 5.10 to the interpretation issue statement?

12 MR. CRITES: Um-hum.

13 MR. McINERNEY: Okay.

14 MR. MORGAN: I would support that as long as  
15 it's heading somewhere. It shouldn't have to be  
16 5.10 which is just fine by me.

17 CHAIRMAN KIBBEY: I have a problem with the  
18 statement itself as far as the "over-promoted or  
19 advertised as a recreation area or tourist  
20 attraction, but should allow visitors to discover  
21 the wonders and mysteries of it for themselves."  
22 One of the reasons we put this whole Monument  
23 together was to have an attraction to our visitors  
24 from throughout the world. Now, sure, it should not  
25 be a recreation area as such, but it should be

1 advertised that this exists and that our people down  
2 in Palm Springs and Palm Desert and Rancho Mirage  
3 and Indian Wells should be able to talk about it in  
4 their advertising, that they have a national  
5 Monument on their shoulder. And I have a problem  
6 with, "should not be over-promoted or advertised." I  
7 don't have any problem with recreation area being  
8 not as a recreation area, but certainly as a tourist  
9 attraction. Because that's what it's for. That's  
10 why we did it.

11 MR. CRITES: There were a couple minor --

12 MR. McINERNEY: Thoughts on that?

13 MR. MUTH: I concur with Ed. The green dollar  
14 was one of the reasons I think the cities backed --  
15 the green dollar, the tourist dollar, burning  
16 dollar, all that I think is one of the reasons that  
17 the cities of the valley supported the Monument  
18 concept to begin with, and also supported it to give  
19 the nongolfers something to do. So the  
20 recommendation not to advertise I think goes against  
21 something.

22 MR. McINERNEY: Jeff, could you possibly make a  
23 suggestion for incorporating your idea here.

24 MR. MORGAN: The statement 5.10, "Monument  
25 should not be over-promoted," and that is pretty

1 much what I was trying to say. I don't know what  
2 was trying to be said here. Right now, I don't  
3 know, half a million people go in Palm Canyon every  
4 year. If that becomes a million all of a sudden or  
5 suddenly start dropping back to half a million, and  
6 people know about many of these things without being  
7 told over and over again, you know, this is what  
8 they must do. I have no problem with tourists  
9 coming here and finding out and doing whatever they  
10 want to do, but as soon as they get here to say,  
11 here, go do this, that's the over-promotion that I  
12 am concerned about.

13 CHAIRMAN KIBBEY: That's why I was  
14 recommending striking it, because we talk in 3 about  
15 the different things we will do to promote it such  
16 as putting out books and talking to auto clubs and  
17 things like that. And we've agreed that is  
18 acceptable promotion, and so if we just strike this,  
19 then we have a cceptable promotion. We're not  
20 telling them we don't want them to promote it, and  
21 that was my recommendation to just strike it because  
22 I think it's covered in 3.

23 MS. GEORGE: 5.9, too. Go up to 5.9, Jeff. If  
24 we implement that with carrying capacity and a  
25 sensitivity and a task force.

1 MR. McINERNY: Do you agree that 5.9 does  
2 provide a little more teeth than the sort of general  
3 description as provided in 5.10, would the committee  
4 be comfortable with striking 5.10?

5 MR. BOGERT: Yes.

6 MR. MUTH: Yes.

7 MR. McINERNY: Okay. Remaining discussion  
8 under issue statement 5. Let's move to issue  
9 statement 6, Private Property and Access. There is  
10 only six topics here so let's talk about them and --

11 CHAIRMAN KIBBEY: 6.1, second sentence, I  
12 think you ought to assess what impacts, not access  
13 what impacts.

14 MR. McINERNY: Yes.

15 MS. GEORGE: To start off, I have a comment.  
16 Danella George. And before we start into number 6,  
17 we do need to pull out utilities and rights of way  
18 and then we had that discussion on the 23rd. They  
19 are considered separate. Jim shared that desire to  
20 do that, to add tier clearly to the multispecies  
21 plan amendment, that utility rights of way are  
22 really separate than the private property rights of  
23 way and we need to split them out. Does that make  
24 sense to everybody?

25 MR. McINERNY: So to aid in the management plan

1 staff's work, we created a new issue statement,  
2 number 7, or the last one, number 12 might be that  
3 deals specifically with utilities and rights of way,  
4 and then which of these statements would fall into  
5 that.

6 MS. GEORGE: Correct, which would probably be  
7 6.5 it looks like.

8 MR. McINERNY: Okay. Agreeable to folks?  
9 We'll take care of that. Then, with the remaining  
10 statements, comments?

11 CHAIRMAN KIBBEY: 6.4 should be as part of 6.2.

12 MR. McINERNY: 6.4, "No new rights of ways for  
13 roads should be granted and no RS2477 rights of way  
14 should be issued within the Monument," would be  
15 incorporated into 6.2, which addresses routes to  
16 private property.

17 MR. MORGAN: I have a problem with 6.2. It  
18 says "The Monument should consider authorizing only  
19 one access route to private land parcels." There is  
20 no guarantee rights of access roads to any private  
21 parcels surrounded by federal land.

22 CHAIRMAN KIBBEY: In the legislation.

23 MR. MORGAN: Doesn't say road access.

24 CHAIRMAN KIBBEY: Oh, yes.

25 MR. MORGAN: It does not.

1 MR. McINERNY: Well, one of the staff can  
2 clarify, if you want to pull legislation out.

3 MS. DUNNING: You each have a copy. And you  
4 always carry a copy with you, right?

5 CHAIRMAN KIBBEY: While he's looking that up,  
6 may I jump to 6.5?

7 MR. McINERNY: Of course.

8 CHAIRMAN KIBBEY: I would like to -- it says  
9 "New utility routes, antennas, and landscape  
10 modifications," what is landscape modifications?

11 MR. McINERNY: It's referring to changes of the  
12 ground to support utility rights of way. So if  
13 you're putting in, let's say, a cell phone tower and  
14 what are you going to do to the land surrounding  
15 that tower. Perhaps a large pad to support it would  
16 be an example.

17 CHAIRMAN KIBBEY: But if that is indeed part  
18 of a utility route and antenna, isn't that  
19 redundant?

20 MR. McINERNY: That could very well be. It was  
21 just an expanding on the concept.

22 CHAIRMAN KIBBEY: So I think new utility  
23 routes and antennas should be discouraged and sites  
24 for such uses. Then, when you get down to "needs to  
25 be located," I suggest we change that word to

1 alternate sites suggested.

2 MR. CRITES: Alternate sites encouraged?

3 MR. McINERNEY: Alternate sites --

4 CHAIRMAN KIBBEY: If you tell someone that  
5 they can't do something right here, you ought to be  
6 able tell them where they can do it. Be positive.

7 MR. McINERNEY: That's fine. Is there a  
8 clarification on the review of the legislation  
9 regarding roads?

10 MS. GEORGE: Access to state and private lands.  
11 The secretary shall provide adequate access to  
12 nonfederally owned land or interest in land within  
13 the boundaries of the National Monument. Which will  
14 provide the owner of the land or the holder of the  
15 interest the reasonable use and enjoyment of the  
16 land or interest as the case may be.

17 MR. MORGAN: That's correct. And that does not  
18 infer and authorize the road access. The other  
19 federal agencies interpret it as horse or foot  
20 access only in many cases.

21 MS. GEORGE: Danella George. Jeff, I think we  
22 need to solicit your opinion on that, but I know  
23 what you are referring to as wilderness. There is a  
24 process we go through to look at providing them  
25 access to inholdings within wilderness. And I think

1 this is different if it's lands without – outside  
2 the wilderness and I would prefer to solicit your  
3 opinion.

4 MR. MORGAN: Maybe we should obtain one because  
5 there are many areas of federal lands where the only  
6 access allowed is by foot or by horse, and not  
7 necessarily in wilderness areas, but in national  
8 parks or national Monuments. Proliferation of roads  
9 within national monuments, national parks is a  
10 problem. And if everyone, you know, continues to  
11 seek road accesses to every property that's  
12 surrounded by federal lands, you're going to have a  
13 serious problem with roads.

14 MS. GEORGE: There are people who were there  
15 between here and when this was written, I refer to  
16 Ed, Ed probably has the best knowledge when this was  
17 being crafted, right? What was meant.

18 CHAIRMAN KIBBEY: Exactly. And the right of  
19 way was meant right of way. To get to your property  
20 to use it for its best and legal use. That was the  
21 meaning behind this. That was what we discussed.  
22 That's why the wording is as such, to not have any  
23 wiggle room. It says access. Access is that which  
24 allows the highest and best use of that property  
25 within the legal definition of that property. And

1 that is addressed also in the legislature. So I  
2 would suggest 6.4, the main part of 6.2 -- or excuse  
3 me, 6.2 addresses that which is in 6.4 in such a way  
4 that is to not require 6.4.

5 MR. MORGAN: I don't believe it's adequately  
6 addressed. I believe 6.4 should stay.

7 MR. McINERNEY: MR. CRITES and gentleman in the  
8 back? Sir.

9 MR. DAVIS: I got two -- Tom Davis with the  
10 Agua Caliente Tribe. I have two questions. One is  
11 does private property mean also tribal property?  
12 Only federal property is a Monument, so where does  
13 tribal property stand in this statement?

14 CHAIRMAN KIBBEY: I think, although  
15 specifically it doesn't say tribal property, tribal  
16 property is understood to be private property.

17 MR. DAVIS: If that is the case, that is the  
18 assumption, we would definitely oppose 6.4 in any  
19 way.

20 MR. McINERNEY: So with that said, then, we can  
21 do one of two things. We can strike 6.4, or it can  
22 be included as a sort of dissenting opinion. Is  
23 there a --

24 CHAIRMAN KIBBEY: Can we get an advisor on  
25 striking?

1 MR. McINERNY: Could we get a show of hands on  
2 supporting striking it? Yes, Mr. Brockman.

3 MR. BROCKMAN: I don't understand what RS2477  
4 is. Can somebody explain that?

5 MR. McINERNY: Connell or Forest Service  
6 representative want to explain that designation?

7 MR. BOSS: We have roads but as rights of way,  
8 it is by maps, north, east, south, and west as far  
9 as how they are coordinated on the maps.

10 MS. DUNNING: What I will do is get you  
11 information about RS2477 via E-mail next week, a  
12 summary of a couple of pages.

13 MR. BROCKMAN: For purposes of what we are  
14 about to do, can you at least generalize as to what  
15 that means?

16 MR. MORGAN: I can.

17 MS. GEORGE: Jeff probably can.

18 MR. MORGAN: RS2477 is revised statute 2477.  
19 It came into effect 1977. It was written, passed  
20 through congress as a way of stopping the  
21 proliferation of roads on federal lands. Prior to  
22 that, from the 1872 Mining Act or as amended in  
23 various other amendments, anyone could claim a right  
24 of way across federal lands for all kinds of  
25 purposes. County roads often became established

1 that way. Etcetera, etcetera. As I say, it was  
2 amended in 1977, or changed. And that whole purpose  
3 of legislature was to stop the spider web of roads  
4 going everywhere. The significant thing is if -- a  
5 right of way claimed after 1977 is not considered a  
6 preexisting road.

7 MS. GEORGE: Negie Bogert I see, she's also an  
8 attorney.

9 MS. BOGERT: If I may, I see what Jeff is  
10 saying that every right of way after '77, if we  
11 could say any right of ways before '77 cannot be  
12 taken away. And I think that in that case you  
13 should be against this, because that -- and I'm  
14 talking, we are -- I belong to the Desert Riders.  
15 We have a lot of studies sweeping the Monument, that  
16 if this happens, we will not be able to access.

17 MR. McINERNEY: Back to the question, can we see  
18 a show of hands for striking this? Those supporting  
19 striking it. Okay. Quite a few individuals and  
20 then there were some that didn't. So option is for  
21 striking it and including it as a minority opinion.  
22 Is that acceptable? Okay.

23 Going on, any other thoughts on this topic?  
24 Yes, Mr. Kibbey.

25 CHAIRMAN KIBBEY: I don't understand 6.6,

1 "Community projects which require public lands  
2 access or use will be subject to necessary project  
3 level NEPA analysis."

4 MR. McINERNY: The idea here is that future  
5 projects, when they are proposed, will have to go --  
6 undergo review by federal agencies to ensure that  
7 the resource protection is guaranteed.

8 CHAIRMAN KIBBEY: You didn't help me a bit.

9 MR. McINERNY: Okay.

10 CHAIRMAN KIBBEY: The thing is, "community  
11 projects which require public lands access" -- I'm  
12 reading federal lands -- "or use will be subject to  
13 necessary project level NEPA analysis." My  
14 understanding is NEPA is a law. And that law says  
15 when it shall and shan't be used. And I don't think  
16 it is within the purview of this group to direct,  
17 other than the law, the undertaking.

18 MR. McINERNY: Then your recommendation would  
19 be to strike it.

20 MR. DAVIS: I agree with Ed. Tom Davis again.  
21 The way this reads is troubling to me because it  
22 says community projects will be subject to NEPA  
23 level analysis. Now, either CEQA applies or NEPA  
24 applies, or in our case, tribal environmental  
25 policies applies. It's redundant. I think it's

1 overkill. And in any way, shape, or form if there  
2 is a public and/or federal decision to be made  
3 regarding rights of way, NEPA applies.

4 MR. McINERNEY: Make the recommendation to  
5 strike it.

6 CHAIRMAN KIBBEY: Now that I know I'm correct,  
7 I say strike it.

8 MR. McINERNEY: Okay. Supported by the group it  
9 appears. All right. Summarize there we took 6.5  
10 and created a new issue statement number 7  
11 dealing with utilities and rights of ways. We  
12 struck 6.6. And 6.1 had a slight modification. 6.2  
13 and 6.3 stand, and 6.4 becomes a minority. Connell?

14 MS. DUNNING: Just 5.7, the top was actually  
15 moved to 6.

16 MR. McINERNEY: That's correct. So it becomes a  
17 new issue.

18 MS. DUNNING: So is that one okay? No, 5.7  
19 above.

20 MR. McINERNEY: Yes, "Need to work closely with  
21 private land owners both within and adjacent to the  
22 Monument to make sure that trespass issues are  
23 resolved and that private land owners know of the  
24 need to post signage on their lands." I heard no  
25 comments on that, besides move it to this category.

1 All right. Let's move on to number 7.

2 CHAIRMAN KIBBEY: Let's take a break. Five  
3 minutes.

4 (Recess taken.)

5 CHAIRMAN KIBBEY: Back on the record. We're on  
6 statement 7.

7 MR. McINERNEY: Issue statement number 7  
8 addresses cultural resource issues. This topic was  
9 addressed by a working group that met numerous  
10 times, and the recommendations here are provided as  
11 they were presented from the work group. There are  
12 a considerable number of recommendations. Some of  
13 them I believe are repetitive of suggestions that  
14 have been made in previously discussed issue  
15 statements, so if at all possible we might look for  
16 opportunities for striking some knowing that they  
17 are addressed elsewhere. But I only add that as  
18 sort of an editorial comment. Thoughts on the  
19 section.

20 MR. BROCKMAN: That was my comment as well, and  
21 this is in no way to denigrate the tremendous effort  
22 on the part the cultural work group, but it just  
23 seems like there are many statements here. We have  
24 28 cultural resource statements, and there is only  
25 three for biological resources. That alone would

1       imply tremendous imbalance in the plan that I think  
2       we ought to try to correct, both in the, as you say,  
3       the consolidation and perhaps elimination of some of  
4       the cultural statements and perhaps beefing up the  
5       biological resource statements when we have a  
6       chance.

7           MR. McINERNY: Quick point of clarification on  
8       that, though, is the biological for one is drafted  
9       by other planning efforts that are underway and thus  
10      there wasn't much focus from folks here or a work  
11      group assigned. And I believe the work group on  
12      this topic was concerned that the other planning  
13      efforts don't address cultural issues to the degree  
14      that are necessary within the Monument, so that  
15      explains some of the sort of imbalance in specific  
16      objectives but no reason to not discuss them now.  
17      Mr. Kibbey.

18           CHAIRMAN KIBBEY: Turning to 7.1 if it's in  
19      order.

20           MR. McINERNY: Yes, it is.

21           CHAIRMAN KIBBEY: 7.1 should also include 7.3,  
22      7.4, 7.5, and 7.8.

23           MS. GONZALES-LYONS: Can you state that again.

24           CHAIRMAN KIBBEY: 7.1 should include 7.3, 7.4,  
25      7.5, and 7.8.

1 MR. McINERNY: They are all related to  
2 identifying and serving cultural sites.

3 CHAIRMAN KIBBEY: Correct.

4 MR. BROCKMAN: I would agree.

5 MS. GEORGE: I think 7.6 belongs in there, too.

6 CHAIRMAN KIBBEY: No, because I don't agree.

7 MR. McINERNY: That's fine, we can wordsmith  
8 those four or five objectives into one consolidated  
9 objective. MR. CRITES.

10 MR. CRITES: Minor change on 7.4. By the way,  
11 I circulated this set of comments to state  
12 archeologists at BLM and he said this is the best  
13 cultural material he's ever seen on a national  
14 monument, and that's usually the area that is the  
15 slimmest. So on 7.4, every year survey a fixed  
16 number of acres or geographic areas.

17 CHAIRMAN KIBBEY: We're going to include that  
18 in 7.1.

19 MR. CRITES: I know, I'm adding something to  
20 7.4.

21 CHAIRMAN KIBBEY: Go ahead.

22 MR. CRITES: I just did.

23 MR. McINERNY: Very good. Barbara, I know you  
24 had your hand up earlier.

25 MS. GONZALES-LYONS: A lot further down, when

1 we get to it.

2 MR. McINERNY: Other comments in this section?

3 Yes, Mr. Brockman.

4 MR. BROCKMAN: I think 7.9, that should be with  
5 at least instead of lease.

6 CHAIRMAN KIBBEY: I have noted a change and  
7 then I decided this is really an action item. So it  
8 should be deleted because it's an action that will  
9 be undertaken within one of the -- "Monitor a  
10 minimum of three known sites a year, with at least  
11 one of those sites being a recreation trail.  
12 Identify any cultural sites adjacent to trails.  
13 Following monitoring, evaluate site for significance  
14 and recommend future action for each site found."  
15 That's all an action.

16 MR. McINERNY: So your recommendation is to  
17 strike it.

18 CHAIRMAN KIBBEY: Yes, because it would come  
19 from the previous.

20 MR. McINERNY: Is there --

21 CHAIRMAN KIBBEY: It would come from the  
22 previous survey.

23 MS. GONZALES-LYONS: Said what?

24 MR. McINERNY: Is there support for removing  
25 that from the list of recommendations from the

1 committee? It would be a show of hands.

2 (Hands shown.)

3 MR. McINERNY: Seems to be a minority opinion  
4 to strike it. Can those that raised their hand live  
5 with leaving it in?

6 CHAIRMAN KIBBEY: Well, getting back to your  
7 direction at the beginning of this thing, we  
8 shouldn't be telling them how to do what we've asked  
9 them to do up above, and that is to survey. A  
10 natural function would be to carry these out once  
11 the survey is completed. I suppose we could limit  
12 it down to monitor a minimum of three known sites a  
13 year with at least one of these sites being a  
14 recreational trail and end it there. And then the  
15 rest of it is action. Would that be satisfactory?

16 MR. McINERNY: Very good. Then, we're just on  
17 what is 7.9, or just leaving the first sentence.

18 CHAIRMAN KIBBEY: Yes.

19 MR. McINERNY: With the typo lease changed to  
20 least. Okay? Good? Moving on.

21 CHAIRMAN KIBBEY: 7.11.

22 MR. McINERNY: Okay.

23 CHAIRMAN KIBBEY: I would just strike the  
24 note, I mean it's nice information but it really has  
25 nothing to do with what we're trying to do here.

1 And then I would suggest that 7.12 be made a part of  
2 7.11 because the two are virtually the same.

3 MR. McINERNEY: Other thoughts? Any thoughts  
4 anywhere on this cultural resource topic?

5 MR. CRITES: I guess I have a question for  
6 Barbara on 7.27.

7 MS. GONZALES-LYONS: That's where I was going.  
8 That's where -- before you do that, I have a change  
9 on that, that Robin asked if we maybe changed it to  
10 create a prototypical village site to educate the  
11 public, and the reason we were saying have a site in  
12 the area is because a lot of people want to see how  
13 we lived, what we do even now in respect of how --  
14 what food we use and things we still do now. And  
15 instead of going to the old sites and start trying  
16 to pick around cultural sensitive areas, we actually  
17 see a living breathing village site or, you know,  
18 people there and hopefully educate at that site of  
19 the sensitivity of cultural areas but educate also  
20 on how people lived, what they ate, what they  
21 gathered, things like that. That's why it was going  
22 to be --

23 MR. McINERNEY: So if I may, the suggestion was  
24 to just change it to say create a prototypical  
25 village site to educate the public.

1 MS. GONZALES-LYONS: Right.  
2 MR. BOGERT: That would be on Indian land.  
3 MS. GONZALES-LYONS: It was going to be in the  
4 BLM forestry area of this Monument, or it could be  
5 on our planning area, or it could even be in the  
6 Tramway area. It was just going to be in the  
7 monument area. It could be in all the areas. We  
8 don't know.

9 MR. McINERNEY: Is there a need to provide  
10 direction as to where you think it should be, or  
11 just leave it up to staff to figure out?

12 MS. GONZALES-LYONS: We thought it was just  
13 best to leave it just wherever because I know the  
14 Tram was talking about doing something like that. I  
15 know they are thinking about doing it up in the Anza  
16 Idyllwild area so that people do not get into the  
17 cultural sensitive areas there.

18 MR. McINERNEY: Couple hands over here. Kibbey.

19 CHAIRMAN KIBBEY: I recommend 7.13, 7.15,  
20 7.18, and 7.21 all be squeezed together in 7.10.

21 MR. McINERNEY: And these are all addressing --  
22 or what's your rationale for that?

23 CHAIRMAN KIBBEY: Well, "develop a curation  
24 policy with consultation with appropriate tribes in  
25 order to curate associated artifacts are threatened

1 to be determined" -- "that are threatened to be  
2 determined mutually accepted agreeable repository in  
3 a facility that is federally recognized."

4 Then go to 7.13, "Facilitate cooperation and  
5 consultation with and among tribes regarding  
6 management of Monument lands." I think that's a  
7 fit.

8 "Assist Agua Caliente Tribe as the liaison to  
9 aide in tribal involvement with Monument and  
10 information sharing." I think that's a fit.

11 Ensure the tribal leaders have access to  
12 information about the Monument. Identify a tribal  
13 delegate to attend the quarterly management working  
14 meeting. Tribal representative will provide info  
15 back to councils. That's getting into action.

16 And then you get into 7.21, "Encourage local  
17 tribes, agencies and organizations to work together  
18 to interpret and educate local public about the  
19 significance," in other words all of these are --  
20 speak to getting the tribes together to do things.

21 So I think if you take all of them and take the  
22 solid points of each one of them, you can put them  
23 under 7.10 as one.

24 MS. GEORGE: Ms. Danella George. Mr. Chair, I  
25 would agree with you on consolidating 7.13, 7.15,

1 7.18, and I spoke to Barbara about working with her  
2 on wordsmithing that with the work group, but the  
3 curation of 7.10, that is really separate. That's  
4 spelling out some needs we need to do with the  
5 museum facilities, and curating kind of a separate  
6 item.

7 And, Barbara, will you help me with that? Is  
8 that -- like 7.1 I mean really is a curation policy  
9 that we're supposed to -- the agencies are in  
10 consultation for artifacts basically, and we're to  
11 house them. So it's really a separate matter than  
12 the other items which are nation to nation  
13 consultation.

14 MS. GONZALES-LYONS: Correct.

15 CHAIRMAN KIBBEY: This says nation to nation  
16 consultation.

17 MS. GEORGE: But specifically for curation.

18 And we want to spell out curation.

19 MS. GONZALES-LYONS: Burial items, all that.

20 CHAIRMAN KIBBEY: I'm know what is. I'm just  
21 saying all of these talk about consultation with the  
22 tribes. You can list all those things within 1 is  
23 what I'm saying. Consult with tribes too,  
24 da-da-da-da-da-da. And you name every one of these  
25 and you got it, it's in one. I don't see any reason

1 for it to be a stand-alone.

2 MS. DUNNING: I can see a reason. I'm in  
3 agreement with Danella that it's a stand-alone. The  
4 curation policy itself is its stand-alone. Those  
5 others are something that when you do for curation  
6 policy, for future actions, for everything. All of  
7 that 13, 15, 18, and 21 applies not only to curation  
8 policy but to other things. So I think we're all in  
9 agreement, but I would recommend the curation policy  
10 be separate as well.

11 MR. McINERNEY: So the recommendation is to keep  
12 7.10 separate but then to consolidate 13, 15, 18,  
13 and 21 into one statement.

14 CHAIRMAN KIBBEY: Into 13, then, I guess.

15 MR. McINERNEY: Is that agreeable?

16 MS. GEORGE: Yes.

17 MR. McINERNEY: Very good.

18 CHAIRMAN KIBBEY: If I may.

19 MR. McINERNEY: Yes.

20 CHAIRMAN KIBBEY: 7.19, it should be part of  
21 7.7. 7.7 reads "Include ongoing ethnographic and  
22 historic research to continue to identify cultural  
23 resource information in Monument," and 7.19 is  
24 "Develop a common understanding and respect for  
25 cultural resources, including ethnographic,

1 archaeological and historic resources." I think  
2 those two are a fit.

3 MR. McINERNEY: Okay. Doing a good job of  
4 consolidating. Any other specific --

5 CHAIRMAN KIBBEY: I have one more.

6 MR. McINERNEY: Of course.

7 CHAIRMAN KIBBEY: 7.25, 7.26, 7.27, 7.28 all  
8 be folded into 7.23. 7.23 is "Develop a program for  
9 public interpretation, education, and environmental  
10 awareness for the Monument, wherein cultural and  
11 ethnographical resources are given equal footing  
12 with other resources in the program."

13 7.25, "Create a Cultural Site Stewardship  
14 Program, utilizing tribal members and other  
15 qualified volunteers as site stewards. Utilize  
16 tribal members as interpreters, guides and  
17 story-tellers."

18 7.26, "Protect and preserve the representative  
19 example of the full array of cultural resources for  
20 the benefit of scientific and socio-cultural used  
21 by" -- there is a word missing there -- "by present  
22 and future generations. Share the value of knowing  
23 how people live, food, etcetera."

24 7.27, "Create a mock village site to educate  
25 the public."

1           And 7.28, "Send people to targeted specific  
2 cultural sites."

3           By folding those in, not deleting any of them  
4 but folding them into one, I think they are.

5           MS. GONZALES-LYONS: 7.23.

6           CHAIRMAN KIBBEY: Yeah, 25, 26, 27, 28 would  
7 be folded into 23.

8           MR. McINERNY: Is that all right? Moving  
9 along. You know, we've done a lot of shuffling  
10 here, I don't know if folks had any specific changes  
11 they wanted. Probably not since the work group  
12 spent considerable effort on this.

13          CHAIRMAN KIBBEY: It's an excellent report.

14          MR. McINERNY: If there aren't any other  
15 comments, then I want to move on.

16          CHAIRMAN KIBBEY: 8.1.

17          MR. McINERNY: Biological Resources.

18          CHAIRMAN KIBBEY: I just have a comment I  
19 would like to feel from other folks here. I read  
20 8.1 and my whole thought was, is this all? Is this  
21 all there is, as the song goes. It seems like we're  
22 kind of shorting the biological and ecological  
23 resources. Now, understood, we had a point made  
24 earlier by Austin that's being addressed elsewhere.  
25 Just is this only me that's saying is this all there

1 is?

2 MR. BROCKMAN: I had the same feeling.

3 MR. CRITES: As a comment, look at all the  
4 other places. As an example, if you could go back  
5 to number 4 on the cross country travel and so on.  
6 Right there it says don't do it where you're hitting  
7 biological resources. And then over here, in trail  
8 structure, it talks about, again, making sure we  
9 check on -- I mean it's littered through a lot of  
10 other places if we want to take it and put it in  
11 here.

12 CHAIRMAN KIBBEY: You make a very good point.  
13 It probably is addressed elsewhere.

14 MR. MORGAN: And the biological resources have  
15 to be addressed through the plan anyway through  
16 existing federal law, and Interspecies Act and  
17 etcetera, etcetera. So a lot of it is actually  
18 going to occur without our suggesting or  
19 recommending it at this time. It's got to happen  
20 anyway.

21 MR. MUTH: The Multiple Species Habitat  
22 Conservation Plan addresses all the threatened and  
23 likely to be threatened and endangered species and  
24 includes, I think, the original one. So it's a  
25 10-year long effort just dealing with the biology of

1 those creatures. So although I don't see the  
2 Multiple Species Habitat Conservation Plan  
3 referenced in 8.1, it is incorporated into the  
4 Desert Conservation Area Plan amendment. So  
5 although it's brief, it's all buried in there.

6 MR. McINERNEY: So would the recommendation be  
7 to reference the conservation plan in 8.1?

8 MR. MUTH: Sure.

9 MS. GEORGE: Put something in as the federal  
10 agencies as partners to the HCP, HCP's plan, blah  
11 blah blah, right?

12 MR. McINERNEY: We'll include that.

13 MR. CRITES: I think item 8.2 can be pulled  
14 right out because in reality the last sentence of  
15 8.1 already does that. Actions undertaken by USFS  
16 and BLM will be consistent with the biological  
17 opinions, etcetera, etcetera, and that's exactly  
18 what 8.2 says. And if we do alleviate .2, it  
19 shouldn't be about sheep, it should be about  
20 anything that's threatening.

21 MR. McINERNEY: Mr. Morgan.

22 MR. MORGAN: On 8.1, I think it's for -- the  
23 biological opinions are going to be provided,  
24 whereas 8.2 uses information that's already out  
25 there, so it's -- that's how I read it.

1 MR. McINERNY: You would advocate for leaving  
2 it?

3 MR. MORGAN: Yes.

4 CHAIRMAN KIBBEY: I inserted the word other.  
5 I had the same thought you did, the adverse impacts  
6 to bighorn sheep and other endangered species should  
7 be taken into account. I felt it should be broader  
8 than bighorn sheep.

9 MR. MUTH: The bighorn sheep recovery plan is  
10 incorporated in the multiple species plan. It's an  
11 integral part of it. It's considered by the plan  
12 and the entire recovery plan was a separate process  
13 from the science advisory committee, but it is  
14 incorporated into the multiple species plan. So in  
15 that sense I believe 8.2 is redundant.

16 CHAIRMAN KIBBEY: I would disagree, if I may,  
17 respectfully. It says bighorn sheep -- "be taken  
18 into account and consultation with the recovery team  
19 and wildlife biologists should be made a priority in  
20 the development of the Monument Management Plan." I  
21 think what we're saying here is those plans are out  
22 there and we want you to pay attention to them, and  
23 so I kind of like 8.2 as long as it's expanded  
24 beyond just the sheep. All endangered species.

25 MR. McINERNY: In the essence of time, can we

1 see a show of hands for who supports leaving 8.2 in?

2 MR. WATTS: As revised?

3 MR. McINERNY: As revised. Okay.

4 (Hands shown.)

5 MR. McINERNY: For those of you that haven't

6 raised your hand -- I see a lot of hands coming up

7 now. I was going to ask for those that hadn't

8 raised their hands in support of that, do you want

9 this included a minority now, or can you live with

10 it? MR. CRITES.

11 MR. CRITES: I think it's useless.

12 MR. McINERNY: Then we can't reach --

13 MR. MUTH: I think the minority suggestion

14 would be to strike the 8.2.

15 MR. McINERNY: Okay. Well, then, using our

16 sort of guidelines for how we were addressing these,

17 8.2 would be included as a minority opinion.

18 CHAIRMAN KIBBEY: 8.2 would include as the

19 majority and striking would be in the minority.

20 MS. DUNNING: I think the way they are going to

21 be organized, the whole MAC or individual or 2 or 3

22 or 4, but the way they are presented I think is as

23 Austin explained, was there will be a section that

24 shows the whole MAC. And then the others, anything

25 that was even only 14 members or 13 only, it's going

1 to be a separate area.

2 CHAIRMAN KIBBEY: We're saying the same thing,  
3 I'm just saying that the vote was to -- the majority  
4 of the vote was to keep it. So that should be the  
5 consensus, and then the three who didn't is the  
6 minority, or whatever you're calling it.

7 MR. MUTH: The black sheep.

8 MR. McINERNEY: And let me clarify, we did  
9 define consensus as meaning everyone, full support,  
10 unanimous. In this case there is not unanimous  
11 support for including it so by definition it would  
12 be the recommendation 8.2 would be included as a  
13 minority report, even though a majority of the folks  
14 voting supported it.

15 CHAIRMAN KIBBEY: Fine. But how are you going  
16 to express those four or five people who voted to  
17 delete it, how are you expressing them?

18 MR. McINERNEY: Well, you're not. I mean that  
19 is --

20 CHAIRMAN KIBBEY: I don't think that's fair.

21 MS. DUNNING: Can I take another stab at it?  
22 Perhaps it's the way we're defining the word  
23 dissenting opinion. Perhaps what we -- how we will  
24 define it in the report is the following items were  
25 supported by entire MAC, every single individual,

1 the second tier, the following were supported by  
2 ranging from 1 to 14 members of the MAC, we don't  
3 need to call them dissenting opinions, we can just  
4 call them options that were provided that weren't  
5 supported by the entire MAC.

6 CHAIRMAN KIBBEY: But I ask my question again,  
7 how are you going to express the opinion that it  
8 shouldn't be there at all?

9 MS. DUNNING: As we started in the beginning,  
10 that is wasn't something we've totally been  
11 tracking.

12 MR. McINERNEY: That's correct, however, in this  
13 case, this is the first issue where there is a small  
14 number of people who want it completely.

15 MR. CRITES: I think 40 percent is not a small  
16 number.

17 MR. McINERNEY: Then I ask you, I proposed a  
18 method that you all agreed on. Now, so let's -- so  
19 we can identify for this item that X number of  
20 people supported removing it. I mean --

21 CHAIRMAN KIBBEY: The point I'm trying to -- I  
22 guess I misunderstood because earlier when Jeff was  
23 the single person that wanted to do a minority  
24 report, under what you just told me, he's not going  
25 to be expressed at all. And under what you told me,

1 that the plan would have three choices, one that  
2 leave it as it is, and the majority, and then the  
3 minority. You want choices in there. I don't want  
4 Jeff left out.

5 MR. McINERNEY: That's correct, and let me  
6 reiterate what I said at the beginning of the  
7 meeting, that there would be two categories, one  
8 recommendations committee members unanimously  
9 supported. The second group is recommendations for  
10 which consensus was not reached. So by that  
11 definition, this item, which there was not unanimous  
12 support for, would appear in the second tier.  
13 Period. If you don't like that, then we need to  
14 revise that structure and that's why --

15 CHAIRMAN KIBBEY: I just want to get back to  
16 what Connell told me the final thing when it goes  
17 out to the public, it's going to be as is, what  
18 everybody thinks is the greatest thing in the world,  
19 and then what other people think is the horriblist  
20 thing in the world.

21 MS. DUNNING: You're asking a question about  
22 the draft plan not the report from the Advisory  
23 Committee.

24 CHAIRMAN KIBBEY: How do you get that  
25 information if Jeff's position is not written in

1 this report? And yours is not written in this  
2 report.

3 MR. CRITES: My issue -- take Jeff's for  
4 example, it's not just on the issue where he was a,  
5 quote, single person that he didn't reach consensus.  
6 We had a particular alternative supported by  
7 someone. And that alternative needs to be in  
8 whatever data goes to the folks who are going to  
9 write this draft.

10 MS. DUNNING: It will be.

11 MR. CRITES: Not the way I just heard right  
12 here, it wasn't. It was just that we didn't have  
13 consensus.

14 CHAIRMAN KIBBEY: How do you get that  
15 information?

16 MS. DUNNING: I think I understand. One more  
17 time. The information that's provided in a report  
18 on the Advisory Committee, we will have information,  
19 your recommendations and consensus and those that  
20 are not consensus. Those that are not consensus as  
21 well as those that are consensus, almost fill the  
22 range of alternatives that you will see in the plan.  
23 We are not losing any information here.

24 MS. GEORGE: Danella George. Let me have one  
25 stab at it. We've gone through these, this report

1 today. Where folks agreed we had consensus. Where  
2 everybody agreed, where there was anywhere from one  
3 person to 40 percent that didn't agree we've come up  
4 with another statement to address those people's  
5 concerns. And that will be in the report given to  
6 the agencies as the MAC recommendation. Is that --  
7 am I with it, Austin?

8 MR. McINERNY: Yes, but we're also including  
9 the minority opinions.

10 MS. GEORGE: By the 1 to 40 percent.

11 MR. McINERNY: So in this example we have a  
12 problem because there is no alternative suggestion  
13 that has been made.

14 MS. GEORGE: That's just where we're at.

15 MR. McINERNY: There is a difference of opinion  
16 whether or not the statement should be included or  
17 not.

18 MS. ROCHE: That is the alternative.

19 MR. CRITES: The council continue suggests it's  
20 already in 8.1.

21 MR. McINERNY: So for the sake of recording  
22 both camps, if you will, how do you want it to be  
23 shown in your report?

24 MR. CRITES: X percent, majority suggested 8.2  
25 there as modified, the minority suggested it be

1 struck because it was already present in 8.1's  
2 content.

3 MR. McINERNY: Then we can record it as such  
4 under this topic.

5 CHAIRMAN KIBBEY: Thank you.

6 MR. MUTH: I'm for moving on. This is behind  
7 me. We're into new things.

8 MR. McINERNY: Okay.

9 MR. MUTH: 8.3. 8.3 is a statement that is not  
10 a recommendation. It's a conclusion. I think we  
11 should strike that.

12 MR. McINERNY: Support for that?

13 CHAIRMAN KIBBEY: I was going to suggest it be  
14 made a part of a 11.5. But 11.5 is the same thing,  
15 "The Monument should complete a separate Fire  
16 Management Plan to address fuels management and  
17 other fire suppression and activities," and then you  
18 can say --

19 MR. CRITES: Noting that such activities may  
20 have adverse impacts on natural resources.

21 MR. MUTH: Good.

22 MR. McINERNY: Okay.

23 MS. GEORGE: So moving 8.3 to 11.

24 MR. McINERNY: 11.5.

25 MS. GEORGE: Were you able to capture that

1 statement and read it back to us, Austin, so  
2 everybody is comfortable with it?

3 CHAIRMAN KIBBEY: Oh, yeah, we're very  
4 comfortable.

5 MR. McINERNEY: You know, and to remind  
6 everyone, we're going to revise the recommendation  
7 report, Ed will review it and be sure we've captured  
8 the language as described here, and then it will go  
9 forward to staff. Okay. Want to move on?

10 CHAIRMAN KIBBEY: 9, if it's in order, 9.5.

11 MR. McINERNEY: Let me just state for the record  
12 so we know we're talking about issue statement 9,  
13 "How can the Monument provide safe passage for  
14 vehicles on Highway 74 through the Monument while  
15 also providing safe interpretive opportunities along  
16 the route."

17 CHAIRMAN KIBBEY: I would insert in front of  
18 "All pullout areas need to be kept clean and tidy,"  
19 develop a plan to keep all pullout areas clean and  
20 tidy.

21 MR. McINERNEY: Mr. Morgan.

22 MR. MORGAN: Highway 74 is a state highway.  
23 There is no federal lands involved apart from maybe  
24 just pull off a little ways. Maybe we've put too  
25 much into State Highway 74. With all these, maybe

1 we could consolidate them down.

2 MR. McINERNEY: And do what with them?

3 MR. MORGAN: Well, we're supposed to be  
4 addressing federal lands, and Highway 74 is a state  
5 highway not a federal highway. So it's --

6 MR. McINERNEY: However, the highway does go  
7 through the Monument and thus has quite a  
8 significant and contributing influence on how people  
9 experience the Monument.

10 CHAIRMAN KIBBEY: And it traverses federal  
11 land, so even if it's controlled by the state, it's  
12 going over the federal land and we should be  
13 concerned as a part of the Monument.

14 MR. MORGAN: I think it goes through federal  
15 lands because federal lands are on either side.

16 MR. McINERNEY: The recommendations here don't  
17 say what should happen on the roadway itself, it's  
18 more addressed what is happening on either side and  
19 some ways for people who are driving on the road to  
20 get information.

21 MR. WATTS: Back to Ed's 9.5, I would suggest  
22 we just drop that. I mean we don't see anywhere  
23 else in the plan that we are going to keep the  
24 campgrounds clean and the visitors' center neat and  
25 tidy or anything else, and it just goes without

1 saying that's a part of normal operation, to pick up  
2 litter and things. If you can do it. Assuming  
3 there is not a giant budget deficit.

4 CHAIRMAN KIBBEY: I thought the same way until  
5 I got to thinking you have the two agencies, the  
6 federal agencies alongside the highway and Cal Trans  
7 involved here. If by developing a plan between the  
8 Monument and Cal Trans they can provide a  
9 responsibility for keeping it clean and tidy, then  
10 it works. Otherwise Cal Trans says, well, they are  
11 doing it, the Monument says no, they are doing it.

12 MR. WATTS: Could we then fold them into 9.1 as  
13 one of the elements to be included.

14 CHAIRMAN KIBBEY: Agreed.

15 MR. McINERNEY: So the recommendation is to  
16 incorporate 9.5 into 9.1.

17 MS. ROCHE: Shouldn't 9.2 go into 9.1 as well?

18 MR. CRITES: Yep.

19 MS. GEORGE: Yep.

20 MR. LYMAN: On 9.2 there may be an issue  
21 because this state budgeting process will not be  
22 modified to meet the planning schedule of the  
23 Monument. We need -- the Monument schedule needs to  
24 fit California STIP. They will not modify STIP.

25 MR. CRITES: How about that -- some comment

1 that the planning and funding activities coordinate  
2 with each other. That's the most you will ever get.

3 MR. McINERNEY: The suggestion to modify 9.2 to  
4 state that, you know, Monument and Cal Trans  
5 planning and funding activities should be  
6 coordinated to the greatest extent possible. Leave  
7 it at that. Any other specific edit?

8 MS. ROCHE: Shouldn't 9.4 and 9.6 go together,  
9 instead of saying underutilized resource, that  
10 fully -- develop a plan to fully utilize this point  
11 to overlook Pinyon Flats Overlook area, visitor  
12 center should all go together.

13 CHAIRMAN KIBBEY: If I may, I see two  
14 different thoughts here. We're talking about  
15 interpretive information which would be at all the  
16 different centers and stuff like that, and then I  
17 see signage for specific areas. With enough words  
18 it could fit.

19 MS. ROCHE: The interpretive information and  
20 the interpretive part of the plan, and this really  
21 is the -- I think the signage, haven't we talked  
22 about that in other areas where the interpretation  
23 where we're getting all this -- developing the  
24 information and getting it out there?

25 CHAIRMAN KIBBEY: So you're saying make it

1 part of what was that, 3?

2 MR. McINERNY: The idea is 9.4 and 9.6, somehow  
3 incorporate the two? With strong opinion --

4 MS. ROCHE: Most of it deals with signage and  
5 letting them know they are in the Monument.

6 MR. McINERNY: So your suggestion is to do  
7 what?

8 CHAIRMAN KIBBEY: Suggest put the two  
9 together, right?

10 MS. ROCHE: Yes, instead of using  
11 underutilized --

12 MR. McINERNY: We will do that.

13 MS. ROCHE: Plan to maximize or enhance  
14 utilization of the areas.

15 MR. MUTH: Was the suggestion to move it to  
16 section 3 where there is other interpretive --

17 MS. ROCHE: For the interpretive information.

18 MR. McINERNY: Is there support for that?

19 CHAIRMAN KIBBEY: Yes.

20 MR. McINERNY: Okay, 9.4 and 9.6 become a  
21 statement moved to section 3. Any other comments on  
22 this section?

23 MR. MORGAN: 9.7, "The management plan should  
24 designate a route system within the Monument," I  
25 think we've already done that. They have to

1 identify all roads, trails, etcetera in the process.

2 MR. McINERNEY: So recommendation is just to  
3 strike 9.7.

4 CHAIRMAN KIBBEY: Just strike it.

5 MR. McINERNEY: Okay. Can we move on to issue  
6 statement 10, Management of Pests. Mr. Kibbey.

7 CHAIRMAN KIBBEY: 10.1 doesn't belong here.

8 "Work with local nurseries to develop lists of  
9 invasive plants that should not be sold and work  
10 with various cities and homeowner associations to  
11 determine plant species that should not be allowed  
12 as landscaping" has nothing to do with the Monument.

13 Strike number 1.

14 MR. MORGAN: Should be moved to the  
15 multispecies habitat.

16 MR. McINERNEY: There is two recommendations,  
17 one is to delete it.

18 CHAIRMAN KIBBEY: I'm saying none of it is  
19 applicable to the Monument. We're going to tell  
20 homeowners not to do something, not to plant  
21 something? We're going to tell nurseries not to do  
22 something?

23 MS. WATLING: What the nurseries and  
24 surrounding neighborhoods do will effect the  
25 Monument if they use invasive species and the seeds

1 germinate in the Monument.

2 CHAIRMAN KIBBEY: But the Monument is not the  
3 only thing in this entire part of Southern  
4 California. There is a whole lot of places away  
5 from the Monument that are on the other side of the  
6 Coachella Valley if they want to do that sort of  
7 thing. This is without the Monument, it's outside.  
8 Put a nursery in the Monument you tell them what to  
9 do.

10 MR. BROCKMAN: Either we strike it or we change  
11 it as an educational statement so that it's not  
12 something that has any sanction to it, because I  
13 agree with Ed. There is no way we should be putting  
14 a statement in there that deals with nurseries, what  
15 they can sell and what they can't.

16 MR. McINERNY: How about a recommendation that  
17 it gets moved to the outreach section as modified to  
18 say something to the effect of just to provide  
19 information to local nurseries regarding types of  
20 invasive species.

21 CHAIRMAN KIBBEY: Rather than specify local  
22 nurseries, I would develop a list of invasive  
23 plants.

24 MR. BROCKMAN: Because we would want to inform  
25 the buying public as far as the nurseries.

1 MR. McINERNEY: Okay.

2 MS. GEORGE: Can I? Danella George. We could  
3 also maybe to – what I think the intent was to  
4 utilize only native plants at the Highway 74 visitor  
5 center with landscaping, would that accomplish what  
6 you're looking to do here?

7 MS. WATLING: No.

8 MS. GEORGE: Okay.

9 MR. McINERNEY: MR. CRITES.

10 MR. CRITES: I believe we could combine 10.5,  
11 10.3, 10.4, and 10.9 into completing a plan noting  
12 the importance of salt cedar and fountain grass,  
13 include council and society, and going after the  
14 most critical places first as one.

15 CHAIRMAN KIBBEY: You were saying 10.4?

16 MR. McINERNEY: 10.3, 10.4, 10.5, and 10.9 to be  
17 consolidated into something to the effect of  
18 complete a plan identifying plant eradication.

19 CHAIRMAN KIBBEY: How about adding 10.7 and  
20 10.10 to that?

21 MR. CRITES: Yeah.

22 MR. McINERNEY: 10.7 and 10.10? So that these  
23 would all be rolled into development of a sort of  
24 invasive plant eradication plan.

25 MR. MORGAN: 10.8 could join the redundant

1 10.1.

2 MR. MUTH: And 10.4.

3 MR. McINERNY: I'm sorry, now you're saying  
4 that 10.4 should --

5 CHAIRMAN KIBBEY: No, 10.8.

6 MR. MUTH: I would have a correction on 10.4 I  
7 would like to correct.

8 CHAIRMAN KIBBEY: 10.8 and 10.1 are  
9 virtually --

10 MR. McINERNY: Okay.

11 MR. MUTH: On section 10.4 it doesn't have --  
12 "e.g. water sources for sheep, etcetera," I think  
13 you should just put listed species in there,  
14 threatened endangered species, the salamander  
15 deserves far more attention. I don't want to single  
16 out the big one when there are other things listed  
17 that are threatened.

18 MR. McINERNY: Threatened and endangered  
19 species.

20 MR. PARKINS: In that same sense, I would  
21 suggest that we specifically in 10.4, under the e.g.  
22 list road edges because that is the primary route of  
23 travel for most, best way to way to keep salamander  
24 and sheep and everything else happy is keep the road  
25 edges from those animals which then migrate to those

1 other areas. Just list that as another e.g.

2 MR. MORGAN: That comes under management in  
3 general.

4 MR. McINERNEY: Other comments?

5 CHAIRMAN KIBBEY: 10.12, 10.14, 10.15, would  
6 go nicely together.

7 MR. McINERNEY: It's all related.

8 CHAIRMAN KIBBEY: Um-hum. And then on 10.13  
9 you just got a word missing. Feral dogs should be  
10 removed from the Monument.

11 MR. McINERNEY: Okay. Yes.

12 MR. WATTS: 10.5 should insert the word state;  
13 tribal, federal, state, and local agency.

14 MR. McINERNEY: Yes.

15 CHAIRMAN KIBBEY: Was the state involved here?

16 MR. WATTS: When we start planting bad plants  
17 it will be.

18 MR. McINERNEY: No one has talked about 10.11,  
19 is that all right as it stands?

20 CHAIRMAN KIBBEY: Um-hum.

21 MR. McINERNEY: Okay. Moving on to the last  
22 issue, Public Safety. How will public safety be  
23 coordinated within the Monument, issue 11.

24 CHAIRMAN KIBBEY: Very carefully.

25 MR. McINERNEY: Through disbursed shooting.

1 Okay. Comments?

2 MR. WATTS: 11.1, after state parks, it should  
3 be state park ranger stations.

4 MR. McINERNY: State parks ranger stations?

5 MR. WATTS: Be consistent with the other  
6 language in that.

7 MR. MORGAN: And that's ready to use, should be  
8 easy to use at the end of that sentence.

9 MR. McINERNY: Easy to use, very good. Other  
10 ideas? Mr. Brockman?

11 MR. BROCKMAN: I guess I'm not clear on how  
12 11.1 relates to public safety.

13 MR. MORGAN: Stop from getting lost.

14 MR. BROCKMAN: Well, is it information? Is  
15 it -- I mean keeping people from getting lost, it  
16 isn't complete.

17 MR. McINERNY: So maybe to help explain the  
18 intent of that we would say, in an effort to prevent  
19 people from getting lost, keep people on trails,  
20 accurate, easy to read information is needed, some  
21 clarifying language.

22 Other specific changes?

23 MR. MUTH: 11.2, under "Clear signage must be  
24 provided along all routes and especially along  
25 routes that will take hikers on to private

1 property." I'd like to add in there somewhere,  
2 restricted access sites or areas, Deep Canyon as a  
3 university reserve, is not really private property  
4 but it does have restricted access even though it is  
5 state land.

6 MR. McINERNEY: So if we just add language and  
7 restricted use areas.

8 MR. MUTH: Yes.

9 MR. McINERNEY: Okay.

10 MR. MORGAN: Curious as to who is going to do  
11 the providing of this signage.

12 CHAIRMAN KIBBEY: It's up to them.

13 MR. MORGAN: The people affected, the private  
14 property owners or the state park. Well, it's Deep  
15 Canyon that needs to post their properties. I don't  
16 think we should recommend that the BLM post  
17 properties on BLM land saying don't go any further.

18 MR. MUTH: You see a post on the property.

19 MS. ROCHE: Should the word "must" be changed  
20 to "should" because it's the legal issue that was  
21 brought up earlier. If it's there and a sign comes  
22 down, then you have a possible lawsuit.

23 MR. McINERNEY: 11.2, clear language should be  
24 provided. Okay. Any other changes in this section?

25 MR. WATTS: Yes, I have a new one if we're

1 ready.

2 MR. McINERNY: I think we are.

3 MR. WATTS: One that I didn't see get included  
4 I brought up earlier and I'll offer this wording up,  
5 would be 11.6, agencies with law enforcement  
6 responsibility within the Monument will meet at  
7 least annually to share information and coordinate  
8 responses to significant law enforcement issues.

9 CHAIRMAN KIBBEY: I'm sorry, she was  
10 whispering in my ear.

11 MR. WATTS: I suggested that the agencies with  
12 law enforcement responsibility within the Monument  
13 will meet at least annually to share information and  
14 coordinate with responses to significant law  
15 enforcement issues.

16 CHAIRMAN KIBBEY: Will or should?

17 MR. WATTS: One meeting a year, will is okay.

18 MS. GEORGE: When you do will, we'll do it,  
19 otherwise it could-a should-a.

20 MR. McINERNY: Is that acceptable? Good.  
21 Thank you. Okay.

22 MS. ROCHE: I wonder if there's one that we're  
23 not missing and that is to somehow, whether it's  
24 signage or information for people who are going into  
25 wilderness areas, they should be notified, do you

1 have with you water, do you have a whistle with you,  
2 do you have sun protection, some of those safety  
3 things. We aren't addressing it here, but that's  
4 all public safety, and that's pretty well thought  
5 out by – I'm sure all your agencies have those  
6 lists, but it's not addressed in here any way that  
7 we're going to address it and I think we should.  
8 Whether it's part of the maps, brochures, whether  
9 it's a sign as you're entering.

10 MR. McINERNY: If I could make the suggestion,  
11 then, under issue statement number 3,  
12 Interpretation, if we look for an opportunity to  
13 insert that kind of safety language because there  
14 are quite a few recommendations that address maps  
15 and other information to be provided, that includes  
16 information about water and necessary equipment for  
17 exploring the Monument. We can add that.

18 Okay. Well, what I would like to do, then,  
19 unless there is other comments on the package of  
20 recommendations -- yes?

21 MR. MUTH: Are we going to go over your cover  
22 letter?

23 MR. McINERNY: Yes, I was getting there.

24 MR. MUTH: Okay.

25 MR. McINERNY: I was going to take a sort of a

1 vote. On the package of recommendations that you've  
2 provided today in discussion and as I've described  
3 will be revised very quickly here and presented to  
4 your chairman on Monday for his review, and then  
5 forwarding to all members on the committee and to  
6 the Monument staff for their use in developing the  
7 plan. If that's agreeable, we'll take a vote. I  
8 think Mr. Morgan has a question.

9 MR. MORGAN: Yes. We moved utility rights of  
10 way to its own section, which should now become 12.  
11 So we're just going to leave it.

12 MR. McINERNEY: Well, we did that and removed  
13 one of the recommendations from that old topic, 6.5  
14 becomes the objective there. Did you have specific  
15 items you wanted to discuss there? The language  
16 read new utility routes should be discouraged and  
17 sites for such uses need to be located to alternate  
18 sites outside the Monument boundaries wherever  
19 possible.

20 MR. MORGAN: Okay, we did change the wording.

21 MR. McINERNEY: That's correct. It will be a  
22 separate stand-alone sentence.

23 MR. MORGAN: Maybe there will be other  
24 comments.

25 MR. McINERNEY: Fair. Are there any other

1 additional recommendations regarding utility rights  
2 of way that you would like presented? And besides,  
3 understand that forestry service have all sorts of  
4 rules that govern how they handle utility rights of  
5 way and those will be incorporated into the plan.  
6 If there will be no other comments, can we show by  
7 vote support for the recommendations as revised  
8 today?

9 CHAIRMAN KIBBEY: The chair will assume. Any  
10 motion is in order.

11 MR. MUTH: Move to accept. I'm not even sure  
12 what the motion should be other than we could agree  
13 on recommendations -- recommendation package  
14 discussed today. Help me.

15 MS. GEORGE: Well, Danella George, I think we  
16 should agree to -- if I could just maybe spend some  
17 time with you visiting with you of why we brought  
18 consultants along and what we've been doing the last  
19 few sessions of working out these recommendations,  
20 maybe that would be helpful. I don't know.

21 MR. BROCKMAN: No.

22 MR. LYMAN: I think the motion be made that we  
23 forward the recommendations that were arrived at  
24 today to the chairman for his review, that document  
25 will then be circulated to the MAC members, any

1 comments forwarded back as quickly as possible  
2 because that's the intent, right, that we have now  
3 compiled all that.

4 CHAIRMAN KIBBEY: Do we have a second?

5 MS. WATLING: Second.

6 CHAIRMAN KIBBEY: Motion to second and now  
7 comments.

8 MR. LYMAN: I believe that's just the thing,  
9 and then we just need to, Mr. Chairman, set that  
10 time line for return of any comments once that it's  
11 been forwarded to you.

12 CHAIRMAN KIBBEY: We have a motion and a  
13 second. Do we have any discussion on the motion?  
14 Hearing none, those in favor say aye. Any opposed?  
15 Those who are being reappointed and voted, please  
16 express your name and your vote.

17 MR. LYMAN: In favor. Eye.

18 CHAIRMAN KIBBEY: Who are you?

19 MR. LYMAN: Bob Lyman.

20 CHAIRMAN KIBBEY: Are we ready to discuss --

21 MR. McINERNEY: The next item for discussion was  
22 sent out along with the agenda. It's a draft cover  
23 memo that would go along with the recommendations.  
24 And this document provides the very brief background  
25 statement as to how the Monument was established and

1       how the committee was appointed and who was on the  
2       committee. It also explains briefly what the  
3       meeting structure and overview of the process  
4       reviews to arrive at these recommendations and then  
5       segways into the final recommendation and advice  
6       that you provide d.

7             Since I've distributed this on Thursday, I have  
8       further revised it slightly to I think make it read  
9       a little bit smoother. Also to explain which  
10      working groups were established and their meetings  
11      process and also articulated how the minority  
12      opinions that were identified today would be  
13      recorded in the reports. I didn't want to print out  
14      a whole 'nother version, but my recommendation is  
15      that we incorporate these changes plus any the folks  
16      have today into the sheet that Ed sees on Monday and  
17      then you all see in sort of compliance with your  
18      vote that was just taken.

19            So that was just sort of a way of introduction.  
20      Are there comments and suggestions for anything else  
21      that should be included in this or -- yes?

22            MR. CRITES: One minor one, on page 2, where  
23      you're listing all of the folks, it should probably  
24      list Dr. Muth's title at Deep Canyon. It lists  
25      everybody else's, chair, director.

1 MR. MUTH: Director.  
2 MR. McINERNY: Director, very good.  
3 MR. MUTH: Further along on that line after  
4 Deep Canyon, Deep Canyon Desert Research Center.  
5 Thank you.

6 MR. McINERNY: Okay.

7 MR. WATTS: Knit-picky but falling along those  
8 lines if you could delete my first name and put the  
9 name I go by, Gary, instead of William, I would  
10 appreciate that. And also, we'd like to be known as  
11 California State Parks instead of the California  
12 Department of Parks and Recreation.

13 MR. McINERNY: California State Parks.

14 MR. WATTS: Thank you. And then the other  
15 thing, on page 4, we had made a change in one of  
16 those on the very first one, recreation, so let me  
17 make sure you got that.

18 MR. McINERNY: Yeah, and also added new utility  
19 rights of way, so this will be updated based on the  
20 discussion today.

21 CHAIRMAN KIBBEY: Barbara.

22 MS. GONZALES-LYONS: Just on mine, just take  
23 out the hyphen in Gonzales Lyons, and it's vice  
24 chairman, not vice chair. Not chairwoman or  
25 chairperson or anything like that.

1 MR. BROCKMAN: As long as we're going to do  
2 that, I'm community development director, not  
3 planning director.

4 MR. McINERNEY: Community development director,  
5 okay. What's funny about this is I took this from  
6 the chartering language, so --

7 CHAIRMAN KIBBEY: Don't feel bad.

8 MR. McINERNEY: Yes, other changes?

9 CHAIRMAN KIBBEY: This will be a part of --  
10 this will be a part of the afore-approved piece of  
11 paper with all of our recommendations on it that  
12 will come out to you all at the same time so you  
13 will have an opportunity to have one last act.

14 MR. McINERNEY: If I may suggest, or recommend  
15 for timing of this, it's my full intent to have all  
16 of these edits incorporated in the document to Ed on  
17 Monday so he can take a look at it, give me some  
18 feedback if I've missed something, which hopefully  
19 will not, so we can turn around and send it to you  
20 either that day or on Tuesday. And take a few days,  
21 as few as possible for you to review it and get back  
22 to us, because time is of the essence for Monument  
23 staff to begin their work with these  
24 recommendations.

25 CHAIRMAN KIBBEY: Chair will give you 48

1 hours.

2 MS. GEORGE: 48 hours?

3 CHAIRMAN KIBBEY: You can do it in 48.

4 MR. McINERNEY: Was everyone able to use the  
5 Adobe Acrobat format that I sent the materials out  
6 in? If that's acceptable, I'll do that again just  
7 to retain formatting. It will cause problems with  
8 pages and all that. Connell?

9 MS. DUNNING: Could you also send a Word  
10 version? It's easier for us to upload it on the  
11 internet if we need to add a header or something.

12 MR. McINERNEY: Of course.

13 CHAIRMAN KIBBEY: Any other comments?  
14 Suggestions? Directions? Corrections?  
15 Mr. McInerney, did you a great job.

16 MR. BROCKMAN: Pass that along to Dave, too.

17 CHAIRMAN KIBBEY: We then turn back to the  
18 agenda, "Review and Revise Committee's  
19 Recommendations and Advice on Transmittal Letter and  
20 Overall Report Format." I believe we covered that  
21 unless someone else has a suggestion.

22 "Summarize Meeting Outcomes," we did good.

23 "Potential Need for Additional Work Group  
24 Meetings," not at the moment, I would suggest.

25 "Needs From Committee Members and Monument

1 Staff for Next Meeting," we already set forth two  
2 items we're going to have on there, anything  
3 additional? At any time during the interim period,  
4 so let's say a week before our next meeting if you  
5 have some suggestions, get them to me, and Danella  
6 and I will work them out and try to make them  
7 happen. And if things do arise, it may be something  
8 of significance. Anything else?

9 MS. GEORGE: Yes, Mr. Chair, we need to vote on  
10 a calendar so we can get a --

11 CHAIRMAN KIBBEY: I would suggest a remainder  
12 of the first Saturday of every other month. It's  
13 worked for me.

14 MS. GEORGE: I want to propose one idea just to  
15 be receptive to folks about July and August since  
16 there was a lot of folks gone this year during July  
17 and August, at the August meeting. If we wanted to  
18 skip those and move into September. Just throw that  
19 out there.

20 CHAIRMAN KIBBEY: We got a quorum.

21 MR. MORGAN: I think we should remain on the  
22 same schedule.

23 CHAIRMAN KIBBEY: First Saturday of every  
24 other month, so that would then begin with April?

25 MS. GEORGE: And then the other question I

1 have, with the federal register notice is as we  
2 finish the plan and we move forward, do you want to  
3 just have the public comment time from 9:00 to 9:30  
4 in the morning so that if we're done, we don't have  
5 to sit around here?

6 CHAIRMAN KIBBEY: I would suggest we keep the  
7 9:00 a.m. and the 1:00 p.m. It's important we hear  
8 from the public, and as was evidenced by John today  
9 sometimes there is not enough time in one, so I  
10 think it would be worthy. Yes, Bob.

11 MR. BROCKMAN: To that point, are you  
12 suggesting that meetings next year may not take all  
13 day?

14 MS. GEORGE: Correct.

15 MR. BROCKMAN: Then maybe that's a good idea.  
16 Not to cut short the public, but if we're out of  
17 here by 11:00, why don't we just come back at 1:00.

18 MS. GEORGE: Because towards the end people --  
19 once we did our work and got into the work, we're  
20 busy again, but there was a period where it was, you  
21 know, getting hard to fill an agenda. And I had  
22 heard from you if you go back to the record, folks  
23 want that ability to end early. So I'm just trying  
24 to be responsive to earlier issues.

25 CHAIRMAN KIBBEY: Comments?

1 MR. CRITES: Buford Crites. Potentially start  
2 the public comment at 11:00.

3 CHAIRMAN KIBBEY: Other comments? Jeff?

4 MR. MORGAN: We could possibly look to modify  
5 the length of time the meetings take as the work  
6 load increases or decreases. In other words, we  
7 shouldn't set ourselves in stone to be all day. If  
8 it comes around to say March and we don't have much  
9 going on, we can kind of taper it off. If we  
10 suddenly got a lot to do we can ramp it back up.

11 CHAIRMAN KIBBEY: In regard to that comment,  
12 we can go as long as we want. We just can't adjourn  
13 earlier than is published. Yes, Barbara.

14 MS. GONZALES-LYONS: I like Buford's idea of  
15 9:00 and 11:00, or even just one comment period for  
16 sure recorded. And we can -- as you stated last  
17 year, we can always add another one if there is a  
18 lot of people wanting to make comments, we can add  
19 it in there if we're -- what I'm worried about is if  
20 we're only going to meet for two hours and we're  
21 done by 11:00 or even 10:30, then we'll have to wait  
22 around. So if we just schedule one at least in the  
23 morning and then have the ability to have another  
24 one if we have people there wanting to speak.

25 MS. WATLING: If we could put the public

1 comment in the middle rather than the very beginning  
2 or rather the end and broaden it as needed.

3 CHAIRMAN KIBBEY: Given the fact that we have  
4 the public, you have a beginning time and ending  
5 time and have to be here until ending time, I'm of  
6 the thinking that maybe we do a 9:00 to 11:00 normal  
7 meeting, have a 9:00 comment and a 11:00 comment,  
8 and then we're out of here at 11:00 or 11:10 or  
9 11:15 or whatever the case may be. As we said, we  
10 can go longer, we just can't go shorter. So that  
11 would be my suggestion on the table. And now, John.

12 MR. WOODS: John Woods from Alpine Village. I  
13 understood the logic originally of having the two  
14 sessions one in the afternoon. Changing the  
15 afternoon session to 11:00 session, I don't see if  
16 that helps the public any as much as maybe you went  
17 with say the 9:00 session. Publish it as an hour  
18 and like today, if we had 5 or 6 minutes, then  
19 you're on to the next thing and by the time you're  
20 done, whether it's 10:00, 10:30, 11:00 you're out of  
21 here.

22 CHAIRMAN KIBBEY: Good suggestion. Any other  
23 suggestions?

24 MS. BOGERT: Negie Bogert. Maybe if you put it  
25 at 11:00 or just before you break for lunch, it

1 gives a better opportunity for the public to get  
2 here and get interested in what you are talking  
3 about. Maybe if they have some commentary of what  
4 you're discussing at the time and you put it in the  
5 middle, they are not going to comment they don't  
6 care about what you are saying from then on. And  
7 then you can keep the public, if you get them to  
8 talk at 11:00, maybe that's all you want to  
9 schedule.

10 CHAIRMAN KIBBEY: Chair would entertain a  
11 motion.

12 MR. LYMAN: Comment period begins at 11:00.

13 CHAIRMAN KIBBEY: Give me a meeting time.

14 MR. LYMAN: 9:00.

15 CHAIRMAN KIBBEY: To?

16 MR. LYMAN: To 11:00. 11:00 begins the public  
17 comment period.

18 MR. BOGERT: Second the motion.

19 CHAIRMAN KIBBEY: Motion on the floor that

20 beginning -- we didn't get a beginning.

21 MR. LYMAN: 9:00.

22 CHAIRMAN KIBBEY: No, what month, what meeting  
23 would that begin?

24 MR. LYMAN: Sorry, effective February 1. No,  
25 we can't do that because it's already out there.

1 Effective for the first meeting not in -- currently  
2 in the federal register.

3 MS. GEORGE: Which would be April.

4 CHAIRMAN KIBBEY: Correct. Is there a second?  
5 Agreed to the amendment? Say yes.

6 MR. BOGERT: Yes.

7 CHAIRMAN KIBBEY: Thank you. We have an  
8 amended motion that the meetings beginning with our  
9 April meeting will begin at 9:00 and end at 11:00  
10 with public comments at 11:00. Everybody  
11 understands the motion? All in favor? Any opposed?  
12 Those to be reappointed identify yourself and your  
13 vote, please.

14 MR. LYMAN: In favor.

15 MS. GEORGE: Okay. Thanks, you guys. The  
16 other thing I wanted to mention, I don't want to  
17 embarrass you, but Barbara Gonzales Lyons will be  
18 receiving an Athena award on Tuesday and I think  
19 that is important to recognize all she does for her  
20 community as well as for us. So I thank all you  
21 guys again for sitting here and being here and for  
22 our two public members that have come and -- three  
23 public members -- four public members, there we go,  
24 and our forest service rep who has been here all  
25 day, for being a part of this and consistently

1 showing up. There is a couple of you that just keep  
2 coming and we appreciate that.

3 The other thing I wanted to mention, the lunch,  
4 I mean the field trip. Do we all want to go out for  
5 lunch after the field trip or do you want to  
6 brown-bag it or what do we want to do?

7 MS. WATLING: Stop.

8 MS. GEORGE: Go have lunch?

9 MS. WATLING: No, go back to work.

10 MR. MORGAN: I have a question on that. What  
11 time did you expect the field trip to end?

12 MS. GEORGE: I imagine we'll be out of Bighorn  
13 Institute by 10:15, and then that would put us at  
14 Deep Canyon by 11:00, so we should be done by 12:30.

15 MR. MUTH: Yeah. Maybe before. Just depends.

16 MR. BROCKMAN: Are you going to lecture?

17 MR. MUTH: Make that 2:30.

18 CHAIRMAN KIBBEY: Who's going to demonstrate  
19 the fire suppression, fire suppression storage?

20 MS. GEORGE: So that's what we'll do then on.

21 CHAIRMAN KIBBEY: Buford.

22 MS. GEORGE: And after that I was going to hand  
23 it off for Buford to help for lunches in the future.

24 MR. CRITES: We have a gracious offer from the  
25 City of Indian Wells.

1 MS. ROCHE: It may change now that we're  
2 changing our meetings, but I had suggested that  
3 maybe those of us in positions of being able to do  
4 it, would sponsor the lunch on a rotating basis, and  
5 I would be happy to volunteer Indian Wells to do  
6 that the first time around so that the lunch is  
7 brought in, and Indian Wells would be happy to pick  
8 up the tab the first time, arrange for it, have it  
9 sent in, take that pressure off of each of the  
10 ones -- Buford said City of Palm Desert would be  
11 happy to do the second time. If we're changing our  
12 meeting I thought it might be problematic.

13 CHAIRMAN KIBBEY: A personal concern, if you  
14 arranged for this, can you make sure when I ask for  
15 no cheese, there will be no cheese.

16 MS. GONZALES-LYONS: No cheese on anything.

17 MS. DUNNING: In terms of location for the  
18 meetings, would you like to comment on this room?  
19 This room as a functioning meeting location versus  
20 the other, do you have a preference? I'm talking  
21 about the Palm Desert Council chambers versus this  
22 working room.

23 CHAIRMAN KIBBEY: Yes, I was going to bring  
24 that up as to whether we want to continue meeting  
25 here or go back to there. My only comment is with

1       our note-taker over there it's much easier for them  
2       with an amplified voice. She has had difficulty in  
3       this room now, we could put her in the center, which  
4       might help. Yes, Barbara.

5           MS. GONZALES-LYONS: Sometimes we have more  
6       public than we do here, so usually there shouldn't  
7       be a problem, but I like this area.

8           MS. WATLING: I do, too.

9           MS. ROCHE: You don't have a set-up that this  
10       can be set up with mikes?

11          MR. CRITES: I'm sure we don't have 15  
12       microphones.

13          MS. ROCHE: Well, I wasn't thinking of 15.  
14       Yeah, you're right.

15          MR. CRITES: Then, all of a sudden you're  
16       passing the mike around.

17          CHAIRMAN KIBBEY: I think that's the end of  
18       the discussion.

19          MR. WATTS: As long as I'm on this side of the  
20       room. I'm looking at poor Ruth over there looking  
21       at the sun.

22          CHAIRMAN KIBBEY: There are shades and if you  
23       had been a gentleman you would have noticed.

24           I think we have an agreement then that we  
25       will -- if it's okay with Buford, the City of Palm

1 Desert, continue to reconvene in this room .

2 MS. GEORGE: We do for the year, federal

3 register notice.

4 MR. CRITES: Let's check the week.

5 CHAIRMAN KIBBEY: Any other concerns?

6 Questions?

7 MS. GEORGE: That is a concern. That is now a

8 concern. We will check this week, right, with the

9 location for the federal register notice, but to get

10 a federal register notice I need to have a location

11 if Palm Desert doesn't work out, after February 1.

12 Is there any other ideas out there or where folks

13 would like to meet as an alternative?

14 CHAIRMAN KIBBEY: You weren't saying the

15 council chamber, this room.

16 MR. CRITES: I think this room would be fine as

17 far as I know.

18 MS. GEORGE: Okay.

19 MS. ROCHE: So am I doing lunch next time?

20 CHAIRMAN KIBBEY: Unless you hear different,

21 you are responsible. Jeff.

22 MR. MORGAN: The rechartering of this thing, it

23 runs out in October.

24 CHAIRMAN KIBBEY: As I mentioned earlier today,

25 all of you should be thinking about this, and in

1 February, at our February 1st meeting we will  
2 discuss that as one of our items given staff to put  
3 on there to decide whether we want to continue. And  
4 I say think about it because we can't just say let's  
5 continue it. We've got to have a reason to continue  
6 it. So each of you look within yourselves and  
7 decide what is the reason. Is this just another  
8 meeting that you could do without? Can we provide a  
9 realistic assistance and advice to the formation of  
10 the Monument and the carrying on after the actual --  
11 excuse me, formation of the plan for the Monument,  
12 and carrying on after it. So give it some thought.  
13 I think comment will be needed and we will have to  
14 form a letter of sorts to be sent from this body.

15 Yes, Bob.

16 MR. BROCKMAN: Danella, does the legislation  
17 only require that we meet once per year?

18 MS. GEORGE: I think it was twice. Yeah,  
19 twice.

20 MR. BROCKMAN: So an option would be to reduce  
21 the number of meetings if we did continue.

22 MS. GEORGE: Yes.

23 CHAIRMAN KIBBEY: Other comments, questions?

24 Hearing none --

25 MR. BOGERT: Mr. Kibbey, there is a guy writing

1 an article about the one in front of Snow Creek and  
2 he asked me if our group here would have any comment  
3 on it, would they be against it. I already told him  
4 I didn't like the damn thing and I think they ought  
5 to keep the hell out of there, but he wants to know  
6 if we could or is it possible that this committee  
7 could say they are against the windmills. The Enron  
8 is suing the county, the county voted against it,  
9 and there is a possibility we can win in court or  
10 something.

11 CHAIRMAN KIBBEY: The only comment I would make  
12 before asking for any other comments is that without  
13 the Monument, that's outside the Monument?

14 MR. BOGERT: It's at the entrance of the  
15 Monument, would cover up the front of Snow Creek  
16 with a bunch of damn windmills.

17 CHAIRMAN KIBBEY: But it's still outside the  
18 Monument. We have to remember our legislation says  
19 that we can not, would not, will not affect any  
20 areas outside of the Monument by Monument  
21 activities.

22 MS. DUNNING: I think it's within the bounds of  
23 the Monument, within the bounds of the Monument.

24 MR. MORGAN: The Enron thing, she's right.

25 MS. DUNNING: Letting you know it's within the

1 bounds of the Monument, not BLM or Forest Service  
2 land.

3 MR. MORGAN: It's private land.

4 CHAIRMAN KIBBEY: I'm sorry, I thought it was  
5 outside.

6 MR. MORGAN: It's within Monument boundaries.

7 CHAIRMAN KIBBEY: We can comment. We can't do  
8 anything about it. We can't say -- we can't direct  
9 BLM to do something but I think, correct me if I am  
10 wrong, Danella, address a letter to the board of  
11 supervisors, is that correct, that we consider this  
12 potential negative impact.

13 MR. CRITES: Buford Crites. I think we can  
14 safely say that the development of wind energy  
15 within the boundary of national Monument is not  
16 consistent with the legislative purposes of the  
17 Monument.

18 MR. BOGERT: Very well put.

19 CHAIRMAN KIBBEY: Connell.

20 MS. DUNNING: I would make sure we're looking  
21 at the -- what it is we need to address the need for  
22 utilities in the making of the Monument plan. We  
23 need to do that. So there isn't a specific line in  
24 the legislation that states directly no wind  
25 turbines. However, the view and the scenic

1 qualities I was just referencing the utilities.

2 MS. GEORGE: Is it in the utility quarter  
3 existing, Connell, its proposal?

4 MS. DUNNING: I'm not sure. I'm not sure what  
5 the private land utility.

6 CHAIRMAN KIBBEY: Are we time sensitive here,  
7 Frank, or can we have staff look at this and come  
8 back with some better information or what?

9 MR. BOGERT: I think he's writing the article  
10 right now. All I can say is I'm against it. Or I  
11 can say I think the rest of the group is against it,  
12 but I don't know.

13 CHAIRMAN KIBBEY: Pleasure of the MAC?

14 MR. MUTH: Perhaps he could provide you with  
15 the reporter's name if it's time sensitive, and it  
16 appears to be, and the chair might call the reporter  
17 and very carefully, using MR. CRITES' words, express  
18 his opinion that is not consistent with the purposes  
19 of Monument, etcetera, etcetera.

20 CHAIRMAN KIBBEY: The chair would entertain a  
21 motion.

22 MR. CRITES: I would so move that.

23 MR. MORGAN: Second.

24 CHAIRMAN KIBBEY: Any discussion? Those in  
25 favor? Any opposed? Mr. Lym an, identify yourself

1 and your vote.

2 MR. LYMAN: Bob Lyman, aye.

3 CHAIRMAN KIBBEY: Anything else? We stand  
4 adjourned.

5 (The proceedings were adjourned at 3:55 p.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA            )  
  ) ss  
COUNTY OF SAN BERNARDINO    )

I, KATHY BAUERNFEIND, a Certified  
Shorthand Reporter, do hereby certify the foregoing  
265 pages comprise a full, true, and correct  
transcription of the proceedings that were taken  
before me at the time and place therein set forth.

Dated this 9th day of January, 2003, at Yucca  
Valley, California.

\_\_\_\_\_

Kathy Bauernfeind  
CSR No. 11921